"Papers to be laid on the Table of Lok Sabha"

REPORT OF THE JUSTICE JAGDISH CHANDRA COMMISSION OF INQUIRY - MEMORANDUM EXPLAINING DELAY IN LAYING THE REPORT BEFORE THE HOUSE

AUTHENTICATED
(P.M. SAYEED)
MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS

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The Delhi Administration appointed a Commission headed by Justice Jagdish Chandra under the Commission of Enquiry Act on 9.11.1991 to conduct an inquiry in order to ascertain all the relevant facts and circumstances leading to the death of several persons in certain areas of Delhi, reportedly after consuming spurious brew marketed as an Ayurvedic medicine on or after the 6th November, 1991.

2. The Report of the Commission was received by the Delhi Administration on 31.8.1992. As per the provisions contained in Section 2(A) of the Commissions of Inquiry (Amendment) Act, 1990, the Report of the Commission together with the Memorandum of Action Taken thereon is required to be laid before each House of Parliament within six months from the date of its submission.

3. The Report could not be laid within the prescribed time limit as the Delhi Administration took some time in examining the Report in consultation with the Union Ministry of Health and Family Welfare, Government of India and the Government of Uttar Pradesh. The Delhi Administration sent the Report to the Union Ministry of Home Affairs with its recommendations on 19th February, 1993. Thereafter, the Ministry of Home Affairs obtained the views of the Ministry of Health & Family Welfare on the recommendations concerning them and also information from the Delhi Administration regarding the action taken against persons held responsible by the Commission for the manufacture, storage, sale, etc. of the adulterated brew and against the officials indicted by the Commission. The Ministry of Law & Justice were also consulted. This work has now been completed. The Report of the Commission along with Memorandum of Action Taken is accordingly laid on the Table of the House.

"Papers to be laid on the Table of Lok Sabha"

AUTHENTICATED

(P.M. SAYEED)

MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS

New Delhi
Dated August, 1993.

MINISTRY OF HOME AFFAIRS

ACTION TAKEN NOTE ON THE REPORT OF JUSTICE JAGDISH CHANDRA COMMISSION OF INQUIRY

1. The Government have generally accepted the findings/recommendations of Justice Jagdish Chandra Commission of Inquiry. Action taken on the various findings/recommendations is as under:

(i) Standardisation of all Ayurvedic preparation/medicines containing alcohol by the Drugs Controller of India. Pending final standardisation Drug Controller should prescribe uniform system through which such medicines may be manufactured

The Drugs Controller of India has issued orders prohibiting use of rectified spirit/alcohol for preparation of Ayurvedic medicines. Both the Government of U.P. and Delhi Administration are implementing the instructions of the Central Government.

(ii) Ayurvedic preparation containing alcohol to be manufactured under L-1 licenses of medicinal and Toilet Preparations (Excise Duties) Rules, 1956.

The Ministry of Health & Family Welfare, Government of India, have intimated that the regulation of all medicinal preparations containing alcohol are governed by the Drugs & Cosmetics Act, 1940, and not under the Excise Laws. It has already been prescribed that only self generated alcohol is to be used in Ayurvedic medicines. The existing legal safeguards are, therefore, considered adequate.

(iii) Proper quality control should be exercised by the Drugs Controller and statutory duty should be imposed upon the Drugs Inspector to personally supervise the manufacturing and preparation of all Ayurvedic preparation containing alcohol. The Commission also recommended proper quality control right from the stage of manufacturing and preparation to sale of all batches of Ayurvedic medicines containing alcohol.

The Ministry of Health & Family Welfare has reported that there are about 7000 Pharmacies for the Indian Systems of Medicine. It is not practically feasible for the Drug Inspectors to physically supervise the manufacturing/preparation of all Ayurvedic preparations containing alcohol. However, Quality Control to check for substances described as Ayurvedic drugs but containing excessive alcohol or other dangerous adulterants can be made more effective by strengthening the State Drug Control Organisation.

(iv) Since the dossage of ayurvedic drugs are in small quantities, the packing of these drugs may be in small quantities

In case of certain Ayurvedic medicines, Notification restricting the size of containers to 15 ml. of Karpur Asava, Ahiphenasava and Mrigamadasava and to 30 ml. in case of Mritsanjivani Sura and to 120 ml. in case of Mahadrakshasava and restricting alcohol content to 16 percent in case of Mritsanjivani Sura and Mahadrakshasava was issued on 2.12.1992 by the Government of India, Ministry of Health, to ensure against their misuse as a substitute for liquor. Further, the recommendations of Justice Jagdish Chandra Commission have been discussed by the Ayurvedic, Siddha & Unani Drugs Technical Advisory Board, at its meeting held on 11.12.1992; the Board resolved that since no alcohol is to be added from outside in Asavas & Aristas and that the Ayurvedic Asavas and Aristas contain only self-generated alcohol, the upper limit of alcohol in all Asavas & Aristas excepting those that have been already notified should not exceed 12% v/v. The UP Government has agreed in principle to ensure effective

compliance of the recommendation.

(v) The sale of Ayurvedic medicines should be allowed only from the regular licenced chemists.

The Union Ministry of Health & Family Welfare has reported that Ayurvedic Medicines are usually prepared at their homes by Vaidyas and are also sold in grocery shops in the rural areas. Regulation of sale of ayurvedic medicines only through chemists' shops is, therefore, not tenable. However, there should be systematic checks to ensure that substances containing excessive alcohol are not mislabelled as ayurvedic drugs and that they do not contain other dangerous adulterants.

(vi) The export of such ayurvedic medicines from manufacturing States should be allowed only against Import permit issued by the Excise Commissioner/Drugs Controller of the importing State

The Union Ministry of Health & Family Welfare has stated that they are not in favour of imposing any restrictions on inter-State transport of any ayurvedic medicines for the reasons stated at serial No.(v) above.

(vii) Transport of these medicines within the State should be allowed on the strength of permits issued by Excise Commissioner/Drugs Controller

The Union Ministry of Health & Family Welfare has stated that no restrictions may be imposed as explained at serial Nos. (v) & (vi) above.

(viii) To control the sale of methyl alcohol, police should scrupuously implement the provisions of the Poisons Act.

Recommendation has been accepted and necessary

instructions have been issued by the Delhi Admn. The U.P. Government is preparing a Manual for implementation of the Poisons Act incorporating distinct provisions for the grant of licence for import, export, transport, possession and sale of liquor.

(ix) Check posts and borders manned by the Delhi Police should check and confiscate items entering Delhi in the garb of medicines without a valid transport permit.

Instructions have been issued by the Delhi Administration to ensure selective and surprise checking for effective control.

(x) Police/CID should be active to detect and report about the manufacture, transport, import and sale of such adulterated spurious and misbranded medicines.

Recommendation has been accepted and instructions have been issued by the Delhi Administration. The U.P. Government has issued instructions for taking comprehensive action on these recommendations for maintaining control over adulterated poisonous and misbranded drungs.

(xi) Senior police officers up to the rank of C.P./I.G. should make frequent surprise checks.

Recommendation has been accepted and necessary instructions have been issued by the Delhi Administration for surprise checks by senior supervisory officers. The U.P. Government has issued instructions for taking comprehensive action on these recommendations for maintaining control over adulterated poisonous and misbranded drugs.

(xii) Drugs Controllers in each State including Delhi should be given a separate laboratory to carry out regular check of ayurvedic and other medicines containing alcohol.

The Union Ministry of Health & Family Welfare has stated that the full laboratory analysis of ayurvedic drugs is not feasible on account of lack of pharmacopocia. The existing laboratories can check substances mislabelled as ayurvedic drugs and containing excessive alcohol or other dangerous adulterants.

(xiii) Colouring of methyl alcohol should be done to prevent its misuse.

Technical feasibility of colouring methyl alcohol is being examined by the Delhi Administration. The U.P. Government has stated that the Manual being prepared under the Poisons Act also provides for mixing of colours with mythyl alcohol.

(xiv) Social awareness should be created against alcoholism through publicity.

The recommendation has been accepted. To intensify public awareness of prohibition, various steps have been taken in Delhi for holding of exhibitions, meetings in various rural re-settlements and J.J.colonies and liquor-consumption-prone areas, campaigning to educate school children and holding of essay and slogan writing competition and other contests. The U.P. Government is creating people's awareness through mass media agains the evils of alcohol.

(xv) Steps should be taken to increase the number of country-liquor shops in various localities of Delhi. Liquor should also be sold not only in full bottles but also in half and quarter bottles.

The Government is against allowing a large increase in the number of liquor shops in view of the

broad social policy and perspective of prohibition and weaning people away from alcohol. The sale of country liquor in 180 ml. bottles has already been introduced in Delhi.

(xvi) <u>At every country liquor shop, there must be a complaint register which should be checked and verified by Excise Department officials.</u>

The recommendation has been accepted and necessary instructions have been issued by the Delhi Administration. The U.P. Government has also accepted the recommendation.

2.1 In addition to these aforesaid recommendations, the Commission has arrived at certain conclusions. These are indicated below along with the action taken there on:

(i) M/s Karnal Pharmacy, village Manota, Murad Nagar, Ghaziabad (UP) alongwith its 4 partners have been held responsible for the manufacture and preparation of the adulterated brew under the guise of the ayurvedic drug known as 'Karpurasava'. Shri Ajay Sharma employed as Managar/Supervisor in the factory of M/s Karnal Pharmacy, village Manota, Murad Nagar, Ghaziabad has also been held responsible for the preparation of the killer drug under the guise of the ayurvedic drung 'Karpurasava'.

(ii) The Commission had held certain persons reponsible for the storage and sale of the killer brew.

The Delhi Administration has reported that a total of 282 criminal cases have been registered in various Police Stations of Delhi against the persons responsible for the manufacture, storage and sale of spurious brew.

(iii) Dr. S.K.Sharma, Drung Inspector (Ayurvedic) Drug Department, Delhi has been held responsible for gross negligence and dereliction of statutory duties.

(iv) The Drug Department, Delhi has been held responsible for negligence in respect of its vigilance on the sale establishments of ayurvedic drugs in Delhi as well as in respect of the ayurvedic drugs which found import in Delhi from the neighbouring States, at the borders, as also in respect of the checking of particulars on the label of the bottles of ayurvedic drugs which contributed to the large scale sale of illicit/ adulterated 'Sura' in Delhi.

(v) The officials of Excise Department, Delhi have been held responsible for their negligence/lapses in exercising necessary vigilance on the borders of Delhi against the illegal import of illicit liquor or 'Sura' in the guise of Ayurvedic Drugs into Delhi without import permits issued by the Excise Department of Delhi and enormous sale thereof illegally at various shops without the valid licences issued by the Excise Department, Delhi.

(vi) Beat Constables of the Police Stations within whose jurisdiction the localities viz. Jahangirpuri, Sarai Pipal Thalla, Adarsh Nagar, Lal Bagh Jhuggis, Baljit Nagar, Faridpuri and Anand Parbat fall in Delhi have been held responsible for negligence in checking large scale infiltration of illicit Ayurvedic Drugs taking place into Delhi from the neighbouring State without the import permits obtained from the Excise Department.

The Delhi Administration has reported that the explanations of the erring officials has been called and, in some cases,departmental action has been initiated.

(vii) Dr. Anand Bhushan Sharma, Medical Officer, Govt. Ayurvedic Dispensary, Brijghat, Ghaziabad Distt. (UP) and Dr. Sheoraj Singh, Director of Ayurvedic and Unani Services, Sarojini Naidu Marg, Lucknow, UP have been held responsible for negligence in the discharge of duties in their individual capacity. The Drug Department, UP has also been held responsible for negligence and lapse.

The Uttar Pradesh Government has intimated that Dr. Anand Bhushan Sharma has been suspended and a chargesheet has been served upon him. Explanation of Dr. Shivraj Singh, has been sought on the charges made against him in the Report.

(viii) Shri Laxmi Kant Tripathi, Excise Inspector, Ghaziabad did not inspect the premises of M/s Karnal Pharmacy, Ghaziabad. He also did not abide by the administrative instructions as he did not remain present at the time of mixing of rectified spirit obtained from Simbholi Distillery, Ghaziabad which was required to be mixed with other ingredients in his presence in the preparation of ayurvedic medicines by Karnal Pharmacy.

The Uttar Pradesh Government has intimated that Shri Laxmi Kant Tripathi, Excise Inspector, Ghaziabad has been punished after departmental inquiry.

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JUSTICE CHANDRA COMMISSION OF INQUIRY

208, Din Dayal Upadhaya Marg (Rouse Avenue)
New Delhi-110002

REPORT

The Administrator of the Union Territory of Delhi, vide notification No. F. 10(C)/14/91-H.P. II dated 9-11-1991 (Shown as Schedule-I at the end of this Report) published in Part IV of the Delhi Gazette Extraordinary, Delhi Administration, Delhi Home (Police II) Deptt. in exercise of Powers conferred by Section 3 of Commissions of Inquiry Act, 1952 (Act No. 61 of 1952), was pleased to appoint me (Justice Jagdish Chandra, Retired Judge of Delhi High Court), a one-man Commission of Inquiry (For short 'The Commission'), to conduct an inquiry and record my findings and also make appropriate recommendations on the matters couched in the terms of reference.

The necessity for constituting this Commission arose as the Administrator was of the opinion that it was necessary to do so for the purpose of making an inquiry into the matter of public importance namely the need for ascertaining all the relevant facts and circumstances leading to the death of several persons and several persons having become seriously sick in certain areas of Delhi, reportedly after consuming a spurious brew being marketed as an Ayurvedic medicine on or after 6th November, 1991.

The following were the terms of reference for the Commission :—

(i) number of persons who died or who were disabled due to the consumption of the said spurious brew ;

(ii) the person or persons responsible for manufacture, preparation, storage, sale and supply of the said brew ;

(iii) negligence, if any, of authorities responsible for checking such acts ;

(iv) to recommend ways and means to prevent recurrence of such incidents ; and

(v) any other matter relevant to the incident.

By the same notification the Administrator, in exercise of the power conferred by Sub-Section (1) of Section 5 of the said Act, was further pleased to direct that all the provisions of Sub-Sections (2), (3), (4) and (5) shall apply to the Commission.

On getting the premises 208, Din Dayal Upadhaya Marg (Rouse Avenue), New Delhi the Commission issued Public Notice (Sehedul-II of the report) dated 2-12-1991 for publication in the following newspapers :

English Dailies

1. The Hindustan Times.
2. The Times of India.
3. The Indian Express.
4. The Statesman.
5. The Hindu.
6. The Patriot.
7. The National Hearald.

Hindi Dailies

1. The Hindustan.
2. The Navbharat Times.
3. The Jansatta.

In the Public Notice the words "on or before 6th June, 1991" were erroneous and were the result of an accidental slip in place of the words "on or after 6th November, 1991" and this was detected immediately on the publication of the Public Notice in the various newspapers listed above and consequently a Corrigendum (Schedule II-A) was issued by the Secretary of the Commission for publication in the aforesaid newspapers and this was carried out accordingly.

By means of this Public Notice the Commission invited individuals, associations, organisations, institutions, authorities, hospitals and all other persons acquainted with the subject matter of inquiry to furnish to the Commission statement of facts in the form of an affidavit (with two authentic spare copies), relating to the matters under inquiry. The last date for the receipt of affidavits was stated as 27-12-1991 in the Public Notice. It was further directed that the said news item be also sent for telecast to 'Doordarshan' as also for being broadcast on 'All India Radio'. Proclaimations through Drum Beating were also ordered by the Commission and got done in those areas of police stations where larger casualties had taken place and this was got done through the police stations concerned.

As many as only seven affidavits were received in response to the aforesaid Public Notice besides one report of a Fact Finding Committee set up by 'Nashamukti Foundation' Delhi.

In view of the poor response from the Public to the said Public Notice, one more opportunity was granted by the Commission to the public for filing affidavits and the time for filling the same was extended uptill 8-1-1992 (4.00 P.M.) and Public Notice dated 27-12-1991 (Schedule 2-B of the report) extending time was also sent and got published in the newspapers already referred to above.

Various meetings were held between the Commission on the one hand and the senior departmental officers of Drugs Department, Excise Department and Crime Branch of Delhi Police in order to find out what material they could place before the Commission for the purpose of this inquiry. The Crime Branch of Delhi Police officials had recorded statements of various persons in Hindi without oath through investigation of various criminal cases pertaining to this tragedy and they assured that they would get the affidavits prepared in English language in respect of those statements already recorded in Hindi and would have the same produced before the Commission. They also assured that they would also file other relevant and necessary material available with them before the Commission shortly.

By the extended end-date 8-1-1992 (4.00 P.M.) the number of affidavits swelled to 113.

Affidavit No. 114 was received in the office of the Commission through post from Shri Raghu Raj Singh Chauhan, Station Officer, Sector-20, Noida, Ghaziabad (U.P.). One additional affidavit No. 115 was filed by Drugs Department, Delhi with the permission of the Commission.

Photostat copies of the affidavits filled before the Commission were supplied to the Counsel representing Delhi Police, Delhi Excise and Delhi Drugs Departments so as to enable them to check the same and to cross examine the deponents if their depositions affected them adversely.

The owners/partners as well as Supervisor/Manager of M/s. Karnal Pharmacy, Ghaziabad lodged in Central Jail, Tihar, New Delhi were also ordered to be sent notices under Section 8-B of the Commissions of Inquiry Act, 1952 for appearance before the Commission further intimating them that they may engage Counsel.

Mr. K.G. Sharma, Advocate, Counsel for the Commission was also directed to ascertain on checking the various affidavits such were the officials who would be required to be sent the notices under Section 8-B of Commissions of Inquiry Act, 1952, and notices under the said provision of Law were issued to a number of persons including the owners/partners as well as Supervisor/Manager of Karnal Pharmacy, Ghaziabad. Such a notice is required to be sent by the Commission to any person, if at any stage of the inquiry, the Commission considers it necessary to inquire into

the conduct of any person; or is of opinion that the reputation of any person is likely to be prejudicially affected by the inquiry. The Commission shall give to that person a reasonable opportunity of being heard in the inquiry and to produce evidence in his defence.

Discussions were held between the Commission and various Counsels who had put up appearance before the Commission by then for sorting out the procedure to be followed by the Commission and the various parties appearing before it during the inquiry and the same was settled on 3-1-1992 and is reproduced below :—

1. "Deponents of the affidavits filed before the Commission shall be called before the Commissionin in public enquiry in proper sets on various dates, either in continuity or in groups, and the parties shall be entitled to cross examine them whosoever deposes against them. A party shall not have the right of cross examining a deponent who has not deposed against that party.

2. Notices under Section 8-B, of the Commissions of Inquiry Act, 1952 have been issued to seven persons for 30-1-92 and to six persons for 31-1-92 and they shall be given copies of only those affidavits which contain evidence against them. Any how they shall be entitled to inspect all the affidavits filed before the Commission to find out if any other deponent deposes against any one of them in which case copies of those affidavits shall also be supplied to the persons affected thereby. Such persons would then be entitled to cross examine the deponent against them on the dates of hearing on which they shall be summoned to appear as witness.

3. If in cross examination by any party any deponent speaks against any other person or party, he shall be given opportunity to cross examine that witness in respect of the matters the deponent has spoken against that party or person.

4. No deponent shall be called as a witness for his cross examination if he, in his affidavit, does not make any allegation against any one.

5. After the cross examination of the deponents is concluded, the Commission shall call and examine witnesses of its own in the interest of justice and to reach the truth regarding subject matter of this enquiry, and for this the assistance of various parties/persons appearing before the Commission shall also be taken.

6. The witnesses called and examined by the Commission may be subjected to cross examination by any person/party affected by the statements of such witnesses.

7. After the cross examination of the witnesses examined by the Commission is concluded, the affected parties shall be entitled to produce evidence in defence and for this purpose shall file affidavits by way of examination-in-chief of their defence witnesses, who shall be subjected to cross examination by any other party affected thereby.

8. Technical Rules of Procedure or evidence of the Code of Civil Procedure and Indian Evidence Act shall not bind the Commission which shall follow the Rules as per the principles of Natural Justice which may include some healthy provisions of the Indian Evidence Act and the Code of Civil Procedure.

9. Registered documents in original or certified copies thereof may be admitted into evidence by the Commission without any formal proof. Certified copies of public documents or public record or notings made by Government officers or officers of public bodies, shall subject to the claim of privilege, be admitted into evidence without calling the original and without formal proof.

10. When it is not possible to supply copies of documents to the interested, affected or involved parties, they shall be permitted to inspect the documents.

11. Recording of evidence will usually continue day-to-day from 10.30 A.M. to 1.30 P.M. till finished except where in the discretion of the Commission short adjournment is deemed necessary for the ends of justice.

12. No prayer for adjournment for filing objection, for producing documents, for examining witness, for preparing the case for hearing on any ground including the absence of lawyer will be allowed but the Commission, in its discretion, may grant time in extreme cases.

13. The Secretary and the Head Clerk to the Commission are authorised to sign letters/summons, notices, processes on behalf of the Commission.

14. Barring clerical and typographical mistakes or errors apparent on the face of the record the evidence recorded before the commission will be correct evidence on oath unless mistakes are pointed out by the witness or his lawyers or agent on the same date or by next date.

15. The Commission may, in its discretion, add, delete, alter or modify any of these Rules and Regulations.

16. After the completion of recording of avidence, parties or their counsel shall have the right to address arguments before the Commission.

Affidavits received in response to Public Notice issued by the Commission are mentioned in Schedule-II-C. After the issuance of notices under Section 8-B of the Commissions of Inquiry Act, 1952 to various persons against whom the affidavits provided material, those affected persons also put up appearance before the Commission and they were supplied with photo copies of the relevant affidavits adversely affecting them.

The parties and the Counsels appearing before the Commission were asked to furnish their lists of deponents of affidavits whom they wanted to cross examine. Some of them filed such lists some of which contained the names of some deponents who were common in those lists and it was directed that those common witnesses be called first for cross examination by the parties affected, and the remaining deponents were to be summoned after the list of common witnesses was exhausted. Schedule-III of this report sets out the names of the deponents of affidavits who were subjected to cross examination and their number is 32.

Even during the cross examination of these witnesses some more persons stood affected which required sending of notices to them under Section 8-B of the Commissions of Inquiry Act, 1952 and they were also served with such notice by the Commission as and when such material came to the notice of the Commission during the proceedings regarding the cross examination of the deponents of affidavits. Schedule-IV gives the names of persons to whom notices under Section 8-B of the Commissions of Inquiry Act were issued and the number of such persons is 35.

From the very nature of the job of the Commission, certain persons had to be called and examined by the Commission as its own witnesses called Commission's Witnesses as stated in Schedule-V and their number is 21.

All the parties appearing before the Commission including the persons to whom notices had been given under Section 8-B of the Commissions of Inquiry Act, 1952, were given opportunity to produce defence evidence if they so chose. Schedule-IV sets out the names of the defence witnesses who were examined before the Commission and this list mentions their figure as 66.

After the recording of evidence concerning various parties, they were afforded opportunity to address arguments before the Commission and their arguments were heard and concluded.

The Commissions are called upon to decide questions of fact and to find real truth as far as possible avoiding legalism or formalism of courts and it is now well settled that regulations made by the Commission shall conform to all principles of natural justice as the Commission thinks proper. Its procedure is investigatory and inquisitorial rather than accusatory or judicial. The Commission of inquiry

under our Act is a statutory authority which acts as eyes and ears of the Government to collect materials for research and analysis for information of the Government. While Courts decide on materials produced by the police or the party, the Commission has to collect materials by inquisitorial method by investigation, if necessary, to inquire into truth or otherwise ofthe facts available. The Indian Act is perhaps unique in the world where the Commission takes the role of investigator, prosecutor, defender and jugde of facts, with due safegaurds of the rights of the involved parties as in a judicial proceeding, though it is not. Merely because S. 4 of the Commissions of Inquiry Act, 1952 clothes the Commission with certain powers of the Civil Court, that does not confer on it the status of a Court. S. 5(4) of this Act enacts that the Commission shall be deemed to be a Civil Court. But, this provision creats only fiction which cannot extend beyond the parties for which it is created. The Commission is fictionally a Civil Court only for the purpose of offences punishable under Sections 175, 178, 179, 180 and 228 of the Indian Penal Code subject to the condition that it has not the right itself to punish the contemners, a right which other courts possess under Section 480 of the Indian Criminal Procedure. By the application of these provisions the Commission neither becomes a court nor do proceedings before it become judicial proceedings.

The following observations of the Nagpur High Court in the case M. V. Rajwade Vs. Dr. S. M. Hassan, 1954, Cr. L. J. 366, 370 were approved by the Supreme Court in Braj Nandan Sinha Vs. Jyoti Narain (1955) 2 SCR, 655 (at 975) :—

> "The Commission governed by the Commissions of Inquiry Act, 1952 is appointed by the State Government 'for the information of its one mind', in order that it should not act, in exercise of its executive power, 'otherwise than in accordance with the dictates of justice and equity' in ordering a departmental enquiry against its officers. It is, therefore, a fact finding body meant only to instruct the mind of the Government without producing any document of a judicial nature".

The importance of an inquiry under this Act is that facts may be found which alone will facilitate rectification and prevention of recurrence of such lapses and securing the ends of justice and establishing a moral public order in future. In Ram Kishan Dalmia Vs. Justice S. R. Tendolkar and others 1959 SCR-279 (at 295) the Supreme Court made it clear that a Commission of inquiry under this Act can make recommendations to enable the Government to make up its mind both as to legislative as well as administrative matters by observing as follows :—

> "In our view the recommendations of a Commission of Inquiry are of great importance to the Government in order to enable it to make up its mind as to what legislative or administrative measures should be adopted to eradicate the evil found or to implement the beneficial objects it has in view".

There can be no objection to a Commission recommending imposition of some form of punishment which will, in its opinion, be sufficiently deterrent to delinquents in future but it cannot do so far wrongs already done or committed. As held by the Supreme Court in Ram Kishan Dalmia's case (Supra) that punishment lies within the province of a court of Law which would exercise "its own discretion on the facts and circumstances of the case and without being in any way influenced by the view of any person or body, however, august or high powered it may be".

Now, I shall proceed to discuss the material and give my findings on the various terms of reference.

TERM OF REFERENCE NO. 1 :

The Commission received from various agencies, during the course of inquiry, list of various persons who allegedly died during this tragedy on account of having consumed the spurious brew in question. The details of these lists have been fully set out in the Schedules 7-A to 7-D of this Report and the list of the same is set out below :—

Name of the Agency	*No. of Dead Persons*
(a) List received from Hospitals of Delhi	134
(b) List filed by Crime Branch of Delhi	202
(c) List filed by 'Nashamukti Foundation'	316
(d) List received from Ashok Bakshi, A.D.M. (Hqs.), Delhi who disbursed compensation to the next of kin of the deceased,	190

Besides the above a number of affidavits received from the public by the Commission in response to the aforesaid Public Notice, showed as many as 27 persons and their details are found in Schedule 7-E having died in this tragedy. Also the Commission sent two of its officials Sh. C.P. Kataria, Head Clerk and Shri V.K. Mehra, U.D.C. to various places for verification of a number of deaths and they were able to verify in all as many as 44 deaths at the spot and their details are given in Schedule 7-F.

From amongst the above mentioned data the Commission accepted the Police list giving the figure of dead persons as 202, as the basis. The list of various hospitals gave the figure of dead persons as 134 and the perusal and comparison of the two showed that as many as six persons were extra in the hospitals list besides the figure shown in the police list. So, the figures of these extra six persons could be added to the police list and thereby the number of dead persons came to 208.

The list filed by "Nashamukti Foundation" has given the maximum number of dead persons as 316. Comparing this list with the lists filed by the police and the various hospitals, 108 persons were found in excess. Over and above the figure of 208 persons referred to in the preceding para. The Commission deputed two of its officials Shri C. P. Kataria, Head Clerk and Shri V. K. Mehra, U. D. C. to go to the various

places showing addresses of these 108 allegedly dead persons and these officials accordingly visited those places but they could verify only the deaths of 33 persons and not beyond.

Shri P. K. Chandla, President of "Nashamukti Foundation" was summoned by the Commission through a written requisition and on his appearance he was directed to assist the Commission in the verification of the remaining persons reported by the Fact Finding Committee appointed by the "Nashamukti Foundation", as having died in this tragedy and consequently Shri Chandla deputed two persons of the concerned localities who accompanied Shri Kataria, Head Clerk to the various places with the addresses to be given by "Nashamukti Foundation". Shri V. K. Mehra could not accompany him as he happened to be on leave This work was completed in one day and as a result of this exercise only 11 more persons out of the aforesaid 108 could be verified as having died in this tragedy. Thus, only as many as 44 persons out of the aforesaid 108 persons from the list supplied by "Nashamukti Foundation" could be verified at the spot and not the remaining ones. Except those, but, coincided with the names of the dead persons mentioned in the lists given by the police and the hospitals.

A perusal of the list filed by "Nashamukti Foundation" reveals as well as also admitted by Shri Chandla that there were as many as 17 persons mentioned therein doubly and so those 17 persons could be considered only once and not twice and for that reason that list had unnecessarily and wrongly gone up by 17 persons.

The addresses of other 16 persons in the list of "Nashamukti Foundation" were totally incomplete hardly giving any clue and inspite of asking repeatedly Shri Chandla could not give their complete addresses. Even Shri Kataria and Shri Mehra tried their utmost to find out and verify the alleged deaths of these persons from adjoining and neighbouring places but in vain.

The deaths of remaining 31 persons allegedly having died in this tragedy from amongst the aforesaid 108 persons from the list of "Nashamukti Foundation" as they were found not living at the addresses mentioned in the list of "Nashamukti Foundation" and the persons found actually living at those addresses told the verifying persons that no such persons had been living there or died there and that they themselves had been living at those addresses since long back.

Now, I shall deal with the figures in respect of the persons who got blinded or suffered other sicknesses on account of having consumed the spurious brew on or after 6th November, 1991. Such persons find mentioned with details in the police list as also in the lists received from the various hospitals of Delhi. The police list in respect of these persons is set out in Schedule 7-B of this report whereas the lists of the hospitals in respect of these persons are jointly set out in Schedule-7-A. These

figures are mentioned below against the agencies from where the same have been received :—

BLIND PERSONS

(a) Police list (Schedule-7-B)	—	33
(b) Hospitals list (Schedule-7-A)	—	52

INJURED PERSONS

(a) Police list (Schedule-7-B)	—	142
(b) Hospitals list (Schedule-7-A)	—	97

After comparing the police list and the hospitals list we find that there are 5 persons who find mentioned in the police list of blind persons but do not find mention in the hospitals list while the remaining figures in the police list of blind persons find mention in the corresponding hospitals list. Thus the figure 5 has to be added to figure 52 of hospitals list and thereby the total number of the blind persons comes to 57.

Now coming to the injured persons, we find that the above mentioned police list of 142 includes 31 persons who have already been shown as blind persons in the police list of 33 of blind persons, and so these 31 persons have already been taken note of while computing the figure of blind persons, and these 31 persons thus cannot be now counted in the category of injured persons. Consequently the figure 142 of the police list of injured persons has to be diminished by the figure 31 leaving behind the figure as 111 in the police list of injured persons. On comparison of the police list and the hospitals list it is revealed that as many as 57 persons are common to both these lists and so this common figure of 57 has to be diminished from the already diminished police list of 111 injured persons, thereby leaving behind only 54 injured persons in the police list. Out of this figure of 54 as many as 20 persons already find included in the ultimate list of blind persons already referred to above, and thereby the balance from the police list of injured persons remains only 34 which figure has to be added to the figure 97 of hospitals lists of injured persons and ultimately the total number of injured persons comes to 131.

On screening carefully all the affidavits filed before the commission by the public in response to the public notice, it was found that there were as many as 19 injured/blind persons but all such persons already find mentioned and included in the ultimate list of 57 blind persons (Schedule-7-G) and the ultimate list of 131 injured persons (Schedule-7-G). It may be clearly stated here that Schedule-7-G included the ultimated lists of Dead, Blind and Injured persons.

The above-mentioned hospitals list is the combination of the lists filed by the following hospitals :—

1. Safdarjung Hospital, New Delhi
2. Ram Manohar Lohia Hospital, New Delhi

3. St. Stephans Hospital, Delhi
4. Hindu Rao Hospital, Delhi
5. Deen Dayal Upadhaya Hospital, Delhi
6. Employees State Insurance Hospital, Basai Darapur, Ring Road, New Delhi
7. Lok Nayak Jai Prakash Narayan Hospital, New Delhi.

The various doctors from the above-mentioned hospitals were summoned as Commission's witnesses to prove the statements received from the said hospitals. CW-2 Doctor A.P. Mathur, Addl. Medical Supdt. Safdurjung Hospital proved the list Ex. CW-2/1 and according to him it has been prepared on the basis of the record maintained in this hospital in the regular course of business. He also proved his signatures as also seal of this hospital on this document which, he further deposed, was correct, together with the Annexures filed alongwith the same. This list gives the details of the persons who expired or became blind or suffered other sicknesses such as Vomiting, Pain in abdomen, Drowsiness, Vomiting with blood and Hemi-plegia and discoss of vision or blurring of vision.

CW-3 Dr. K.L. Sharma is the Chief Medical Officer (Emergencies) Ram Manohar Lohia Hospital and he has proved two lists Ex. CW-3/1 to CW-3/2 which respectively show the details of persons who died and suffered ailments/disablement on account of their having consumed poisonous 'Sura' during Diwali days of 1991. He has further stated that the ailments/disablements have been clearly mentioned in the list Ex. CW-3/2 and further that the contents of both these lists are correct, bear his signatures and have been prepared according to record maintained regularly and in due course of business of this hospital. He has further stated that the names of two persons viz. Rameshwar and Satya Pal shown respectively in the list Ex. CW-3/1 at Sl. Nos. 19 and 28 as discharged and secconded were wrongly shown in the said list and their names also appeared in the other lists Ex. CW-3/2 at Sl. Nos. 34 & 35 respectively amongst the persons who suffered ailments/disablments. So the names of these two persons appearing in Ex. CW-2/1 which is the list of dead persons were not taken into consideration in this list.

CW-4 Dr. Sunil Kumar Arora, Junior Specialist (Medicines Deptt.), St. Stephans Hospital proved Ex. CW-4/1 the list of his hospital by deposing that the same has been prepared in the office of the hospital on the basis of the record maintained therein regularly and in due course of business and was correct. He has further stated that sicknesses/disablements have been mentioned in this list against the patients who suffered from the same on account of having consumed poisonous 'Sura' in the Diwali days of 1991, but survived. According to him the first two named

persons in this list died while the remaining three suffered sicknesses/disablements. His statement has further shown that this list bears his signatures and is correct.

CW-5 Dr. U.C. Tyagi is a Dy. Medical Suptd. Hindu Rao Hospital and he brought the official record relevant to this case and maintained regularly in the due course of business in this hospital. He proved three lists Ex. CW-5/1 to Ex. CW-5/3. According to him the list Ex. CW-5/1 gives the details of those patients who after consuming poisonous 'Sura' on or after 5-11-91 got admitted in this hospital and were totally blinded and about whom Dr. G.S. Sachdeva had opined that their vision was 100% lost. Regarding the list Ex. CW-5/2 his statement shows that it was in respect of those persons who got themselves admitted in this hospital on hearing the police announcements that people consuming 'Sura' should get themselves admitted in the hospital for check-up, but those persons, so admitted, did not show any signs of any type of sickness/disablement and infact they got admitted in the hospital only out of abundant precaution and out of fear. About the third list Ex. CW-5/3, he deposes that it shows the deaths of as many as 79 patients who got admitted in this hospital after consuming poisonous 'Sura' on or after Diwali last year and expired in the hospital except the patients appearing in this list at Sl. Nos. 68 to 79 who were brought dead to this hospital with the history of alleged sura poisoning. He proved the signatures of Dr. G.S. Sachdeva, Head of the Eye Deptt. in this hospital on the list Ex. CW-5/1 as also the signatures of Dr. M.N. Passi, Head of Deptt. of Medicines in this hospital on the remaining two lists Ex. CW-5/2 and Ex. CW-5/3, by stating that he identified their signatures. As per his statements all these lists are correct according to the Medical record maintained in this hospital.

CW-6 Dr. Raj Kumar, Dy Medical Supdt. in Deen Dayal Upadhaya Hospital has proved three lists Ex. CW-6/1 to Ex. CW-6/3. Ex. CW-6/3 is the total list of all the patients who got admitted in this hospital on consumption of poisonous 'Sura' on or after 5-11-91. In this list patients 1 to 15 died in the hospital while patients entered at Sl. Nos. 40 to 42 suffered from blindness and the remaining patients entered at Sl. Nos. 16 to 39 suffered from ailments/sicknesses shown against their names. It is further stated by this witness that the list Ex. CW-6/1 pertains to the patients entered at Sl. Nos. 1 to 15 of Ex. CW-6/3 whereas the patients mentioned in list No. CW-6/2 find mention at Sl. Nos. 40 to 42 of Ex. CW-6/3. According to him all these lists bear his signatures and are correct and have been prepared on the basis of medical record maintained regularly and in due course of business.

CW-7 Dr. B. Kumar is working as Addl. Medical Supdt. in E.S.I. Hospital, Basai Darapur, Ring Road, New Delhi and he has proved the list Ex. CW-7/1 prepared by another Dr. A.K. Kokhar, Addl. Medical Supdt. (Casualty) of this hospital by identifying his signatures thereon as he has been seeing him sign in his

presence and has also been receiving papers signed by him in the customary course of his duties in the hospital. This witness has also deposed that the said list is correct according to record maintained regularly and in due course of business in this hospital and this record he has brought with him at the time of his testimony. His statement further shows that when the patient Chander Bahadur named at Sr. No. 4 in this list came to this hospital with the history of Sura consumption, he was totally blind with both the eyes and after he was admitted in the hospital and treated he had partially recovered from blindness at the time of his discharge from this hospital on 16-11-1991 and then he was able to count only fingers. There is another patient named Gyan Bahadur entered at Sr. No. 6 in this list and according to his witness he was operated upon in his abdomen on 23-11-91 for Perinotis probably caused by Sura.

CW-8 Dr. Preeti who is working as Dy. Medical Supdt. (Medical) Lok Nayak Jai Prakash Narayan Hospital has also made statement before the Commission wherein she has proved the statement Ex. CW-8/1 comprising Annexures A & B which she prepared on seeing the medical record maintained regularly in the said hospital and she deposed that the same was correct. According to her, Annexure A details the patients who died in hospital with the alleged history of consumption of poisonous Sura while Annexure B is the list of those patients who had consumed poisonous Sura and got admitted in this hospital and suffered serious sickness/disablement on account of the consumption of poisonour Sura on Diwali last. She has further stated that the sicknesses/disablements are mentioned in Annexure B against these persons. She has also stated that Ex. CW-8/1 bears her signatures and is correct.

From the lists filed by Safdurjung Hospital, it has already been noted above that the patients who did not expire, simply suffered sicknesses on consuming the spurious brew and those sicknesses were vomiting, pain in abdomen, drowsiness, vomiting with blood, hemiplegia and dimness of vision or blurring of vision. From the lists of other hospitals besides the sicknesses mentioned above, other sicknesses were also suffered like such patients on consuming the spurious brew and the same are Headache and pain in epigastrium; Black colour vomiting; palpitation (Ghabrahat) Giddiness; generalised bodyache ; unconsciousness ; semi-consciousness; chest pain ; cough ; dizziness; loose-motions & Head injury.

The figures collected by the fact finding committee set up by 'Nashamukti Foundation', under the chairmanship of M.R. Arya CW-12 on the tragedy in question, pertains only to the deaths which took place in Delhi on the consumption of the killer brew on or after 5th November, 1991. This report is Ex. CW-9/1 and the figures of deaths form an integral part of the said report. This fact finding committee had seven members besides its Chairman M.R. Arya and it bears the signatures of its Chairman and all the seven members, and has been proved before the Commission in the testimony

of P.K. Chandla, CW-9, M.R. Arya CW-12, Umesh Lakhan Pal CW-13, Ram Phal Tyagi CW-14 and Abdul Rashid CW-15 who appeared before the Commission as commissions witnesses. These persons and the other signatories of this report went round together as well as separately for collection of facts pertaining to the tragedy and thereafter they prepared this report and signed it. During the visits for fact finding they went to a number of localities viz. Jahangir Puri, Sarai Peepal Thala, Adarsh Nagar, Lal Bagh Jhuggis, Baljit Nagar, Farid Puri, Anand Parbat and some other places mentioned in the report. They also contacted Police Stations of Jahangir Puri, Moti Nagar, Patel Nagar and Anand Parbat as also the hospitals mentioned in this report, mortuary the office of Mr. Ashok Bakshi, ADM and the Excise Deptt. officers, during the course of the exercise and trusted to them by 'Nashamukti Foundation' whose President is Shri P.K. Chandla and which is an All India body having its Hqrs. at Delhi. These gentlemen have done a laborious job and were thus able to collect the above mentioned data pertaining to deaths in varions localities in Delhi, and this data was prepared police station-wise and locality-wise which localities fell within the respective jurisdiction of the various Police Stations. This list further shows that Jahangir Puri where the largest number of deaths occurred, deaths have been shown even Block-wise, as Jahangir Puri has a number of blocks in it. Towards the end of this list deaths of some unkhown persons have also been mentioned vide the details of their MLC's. However, as already discussed above their entire figures do not stand verified.

The deaths reported in the records received from Shri Ashok Bakshi, ADM showing the various persons who died and whose next of kin received the compensation announced by the Government, as also the lists of the dead and injured persons prepared on the basis of the affidavits filed before the Commission in response to the Public Notice issued by it, and even otherwise the same stood proved from the evidence taken note of by Sh. Ashok Bakshi, ADM and the affidavits deposed to by the various deponents thereof and did not admit of any falsehood.

The police list stands proved in the affidavit of Mr. R. Tiwari, then Deputy Commissioner of Police (Crime & Railways) Delhi and the relevant para of this affidavit is para No. 3 according to which during the course of investigation, it came to light that in all 344 persons had been affected after consuming the Ayurvedic preparation, out of whom 202 persons died, 142 injured, and 33 got blinded. This para further mentions that out of 202 persons who died, as many as 28 were cremated without postmortem and the Distt.-wise figures find mention in Annexure 'B' of Mr. Tewari's affidavit which gives the break-up of all these figures. The perusal of Annexure 'B' of Mr. Tewari's affidavit further details seriatum FIR Nos., Police Stations, Names, Percentage, Address and Sex of the persons who died as also the names of the hospitals and showing, as far as possible, the dates and times of admission and discharge

from the hospitals. The list of injured persons also give details by way of FIRs Nos., Police Stations and names and addresses of injured persons. The list of blind persons also gives the same details. Then the list of dead persons who were cremated without post-mortem in connection with this tragedy also shows the same details. All these lists filed by the police tally in numbers with the figures mentioned in para No. 3 or Mr. R. Tewari's affidavit Ex. P. 51, already referred to above, and there is no justification to disbelieve the same as these lists were prepared by the police in the discharge of their official duties and are furnished with all necesary details, and find coroboration from the other lists already referred to and discussed above.

Thus, out of the figure of 108 referred to above and found in excess in the list of "Nashamukti Foundation" the deaths of only 44 persons stood verified and this figure is to be added to the above-mentioned figure of 208 persons found out as a result of the counting of the dead persons on comparison of the police list and the lists supplied by the hospitals, and the total of the two comes to 252.

The number of dead persons mentioned in the list received from Shri Ashok Bakshi, ADM (Hqrs.) Delhi as 190 and the list made out by the Commission from the affidavits received from public in response to public notice issued by the Commission as 27, do not show any excess figures beyond the lists filed by Delhi Police and the hospitals, and stand covered therein and thus no addition can be made to the above mentioned figure of 252 arrived at in the preceding para.

Thus in view of what has been stated above the ultimate list of the persons who died or became blind or suffered other sicknesses during the tragedy in question which occurred on account of their having consumed adulterated/spurious brew, and finding details in Schedule-7G of this report, stands proved and in nutshell the ultimate figures of these categories stand proved as follows :—

1.	Number of persons who died on or after 6-11-91 during the tragedy	252
2.	Number of persons who got blinded	57
3.	Number of persons who suffered other sicknesses	131

REFERENCE TERM NO. 2 :

Para No. 7 of affidavit No. 1 deposed to by Dr. Varshney, Director, Health Services, Delhi Administration holding the additional charge of Drugs Controller, Delhi shows that a team of officers of the Drugs Control Department, Delhi visited police station Jahangirpuri for making enquiries in respect of the news item captioned "Sura kills 30 in capital" which appeared in the issue dated 7-11-91 of the English daily 'The Hindustan Times', and on reaching there found that police had seized 190 bottles of 'Karpoor Asav', batch No. 114; date of manufacture 6/91, purporting to have been manufactured by M/s Karnal Pharmacy (Regd.) Ghaziabad (U. P.) from the premises of M/s Tej Medicos, Jahangirpuri. From the seized bottles two samples, one being colourless and the other being of brown colour, bearing the same batch number were drawn for test/analysis and were sent to the government analyst for analysis. As the department had expected that the aforesaid ayurvedic drug was adulterated with Methyl Alcohol, the government analyst had been specifically requested to analyse the samples to find out whether the same had been adulterated with Methyl Alcohol or not. Para No. 4 of the additional affidavit No. 115 of Dr. Varshney speaks about the receipt of the report of test/analysis conducted on these two samples by Pharmacopecial Laboratory for Indian Medicines, Ministry of Health and Family Welfare, Ghaziabad which showed the presence of Methyl Alcohol in the samples and further that the samples did not conform in respect of the main ingredients viz. camphor and rectified spirit as per the reference book. Annexure-III and Annexure-IV are test/analysis reports in respect of these samples.

Perusal of the affidavit No. 51 deposed to by Mr. R. Tiwari the then DCP (Crime), Delhi shows that during the course of investigation it came on record that the victims had been affected after consuming the aforesaid ayurvedic preparation (Karpoor Asav) prepared by M/s Karnal Pharmacy, V Manota, Muradnagar, Ghaziabad (U.P.) and that this firm had been granted licence to manufacture ayurvedic medicines including 'Karpoor Asav' vide Licence No. A-1160/1985 valid for the period from 25-2-85 to 31-12-86. Annexure-'C' of this affidavit is the photo copy of this licence. Such a licence is granted by the Drugs Department under the Drugs and Cosmetics Act, 1940 by the Drugs Controller of the respective States and in this case the aforesaid licence was granted by the Director (Ayurved) U. P. in Form No. 25-D prescribed under Rule 154 of the Drugs and Cosmetics Rules, 1945. The said licence, it is asserted in this affidavit, was extended for manufacture, distribution and sale of the aforesaid ayurvedic preparation 'Karpoor Asav' upto 31-12-88, but thereafter it was not extended for which

reason the manufacture of ayurvedic preparations by this firm after 31-12-88 was unauthorised being without a valid licence.

The partnership deed in respect of this firm was executed as early as 22-4-85 and was got registered with the Registrar of Firms at Ghaziabad on 2-5-85, having four partners viz. 1. Amrish Bhatnagar, 2. Naresh Bhardwaj, 3. Rajiv Sapra, 4. Satpal Sethi. It would not be out of place to mention here at the very outset that three of them namely, Naresh Bhardwaj, Rajiv Sapra and Satpal Sethi denied any link etc. with the aforesaid firm at V. Manota, Ghaziabad asserting that even though they were partners in virtue of the aforesaid partnership deed, they ceased to be so on or about 15-2-90. Inasmuch as the firm M/s Karnal Pharmacy, Indra Enclave, Loni, Ghaziabad was wound up and dissolved at Loni whereafter Amrish Bhatnagar alone became the sole proprietor of M/s Karnal Pharmacy, at V. Manota, Muradnagar, Ghaziabad which had a new place of business at V. Manota.

The aforesaid firm was granted L-2 licence by District Excise Officer, Ghaziabad on 22-8-85 for manufacture of ayurvedic preparations including 'Karpoor Asav', containing alcohol etc. Annexure-'G' of the affidavit of Mr. Tiwari is the photo copy of this licence which was renewed regularly and was valid for 1991-92, even though the initial licence to manufacture the ayurvedic drugs issued by the Director (Ayurved), UP had ceased to be valid after 31-12-88. The Excise Department, Ghaziabad allotted a quota of 4,000 litres of rectified spirit annually or 1,000 litres quarterly as per Annexure 'H' of this affidavit but this firm was allowed purchase of 400 litres alcohol by the Inspector Excise, Simbholi, Ghaziabad on 4-10-91 without verifying the validity of the initial licence evidenced by Annexure- 'C'.

This affidavit of Mr. Tiwari further discloses that this firm had purchased 1,000 litres of Thinner from Naresh Goel of Muradnagar against cash payment of Rs. 11,000/- on 2-11-91 only three days prior to Diwali in that year. Annexure-'I' of this affidavit is the photo copy of the statement of Naresh Goel recorded under S. 164 of the Cr. P.C.

This affidavit further points out that it has come on record that the adulterated 'Karpoor Asav' was prepared in the business premises of M/s. Karnal Pharmacy, located at V. Manota, 34 K.M. Delhi-Meerut Road, Muradnagar, Ghaziabad, U.P. in the first week of November, 1991. Annexure-'J' of this affidavit is the photo copy of the statement of one Rudra Bahadur, a worker of the said pharmacy recorded under S. 164 Cr. P.C. which gives the details regarding manufacture of the killer adulterated ayurvedic medicine under the guide of 'Karpoor Asav' by using Thinner.

It was then asserted that during the investigation, unconsumed, partly consumed and empty consumed quarters of this spurious ayurvedic medicine having labels of 'Karpoor Asav', Karnal Pnarmacy, Ghaziabad, U.P.; batch No. 114, were seized and the same were sent to CFSL and Excise Control Laboratory, Delhi for chemical analysis

and the chemical experts of both the laboratories opined that the said samples gave positive tests for Methyl Alcohol. Annexure-'K' and 'L' are the photo copies of these reports. Annexure-'K' shows the test/analysis in respect of as many as 16 bottles whereas Annexure-'L' was in respect of 2 bottles.

In his cross examination Dr. Varshney PW-1 stated that he had not collected any evidence which could show if the aforesaid seized bottles had been purchased by M/s. Tej Medicos from Karnal Pharmacy as the premises of Tej Medicos had already been sealed by the police which was not asked to open. The statement of Mr. R. Narayana, Excise Commissioner, Delhi, in his cross examination by Mr. P.P. Grover, counsel for Naresh Bhardwaj and Rajiv Sapra stated that he picked up one bottle from Excise Laboratory out of the bottles of 'Karpoor Asav' which had been recovered and taken possession of by Delhi Police of different police stations and sent there for testing, and the label thereof showed that it contained 'absolute alcohol' could not be sold in open market or manufactured without licence under ISP Rules and on the labels of the bottles it was mentioned that they were of Karnal Pharmacy, Ghaziabad and those lables further indicated 100% alcohol but they did not take the photographs of the labels.

The perusal of paras 20 and 30 of affidavit No. 50 of K. K. Maheswari PW-50, DCP (North-West District), Delhi for the period from 28-2-90 to 18-12-91 shows that investigations revealed that batch No. 114 of 'Karpoor Asav' containing Methyl Alcohol which caused death was manufactured only in the first week of November, 1991 and was supplied in Delhi on 4th and 5th November, 1991 only. Then in para 31 he says that Superintendent of Police, Ghaziabad was informed on wireless and telephone to seal Karnal Pharmacy and to seize all stocks of 'Karpoor Asav'. Raid was conducted all over North-West District and 'Karpoor Asav' and other ayurvedic preparations suspected to contain alcohol were seized and 1358 bottles of 'Karpoor Asav' and 185 bottles of other ayurvedic preparations were seized and by 9-11-91, 2432 bottles of 'Karpoor Asav' and 2226 bottles of other ayurvedic preparations had been seized. In his cross examination by Mr. R. K. Kaushik, counsel for Amrish Bhatnagar, Mr. Maheshwari stated that dealers in the areas of Jahangirpuri, Ashok Vihar and Adarsh Nagar revealed during investigation that Ram Niwas and Suresh had been delivering these seized bottles to them but they did not reveal further as to where-from these two persons had been bringing the said bottles. He also stated that samples out of the seized bottles were sent to CFSL and Excise Laboratory and from both these places reports were received on 7-11-91 and those reports disclosed the presence of Methyl Alcohol in the samples and for that reason he had mentioned in his affidavit that deaths were caused due to presence of Methyl Alcohol in the contents of seized bottles. He further stated in reply to Commission's question that all bottles of 'Karpoor Asav' seized were having labels of batch No. 114 as also the name of Karnal

Pharmacy, Ghaziabad as the manufacturer. In the cross examination Mr. Maheshwari further discloses that both Suresh and Ram Niwas were arrested by the Crime Branch, Delhi and those two persons revealed that they had been bringing and supplying these bottles to the dealers in Delhi from M/s Karnal Pharmacy, Ghaziabad and he learnt this from the officers of Crime Branch, Delhi. He also stated that he was also informed by the Crime Branch Officers who investigated this case that the killer Sura was manufactured by Karnal Pharmacy, Ghaziabad under the name 'Karpoor Asav'. Regarding the manufacture of the killer 'Karpoor Asav' batch No. 114 only in the first week of November, 1991 Mr. Maheshwari stated that he received this information from the Crime Branch whereas the information that the same was supplied in Delhi on 4th and 5th November, 1991 only was gathered from the dealers in Delhi from whom the seizure was made. His statement further shows that only 'Karpoor Asav' bottles were seen by him when the same were seized and the labels thereon did not indicate alcohlic percentage but instead showed the words "absolute alcohol".

PW-57 Satish Chandra, DCP (West District), Delhi had filed his affidavit No. 57 which is almost similar to affidavit No. 50 of K. K. Maheshwari. He was cross examined by Mr. Grover, counsel for Naresh Bhardwaj and Rajiv Sapra and this cross examination discloses that in case FIR No. 766/91 Harjinder Singh disclosed that he purchased Sura from Pankaj Bhatia and Surinder Singh Bedi, and in case FIR No. 770/91 Ram Rattan made disclosure statement that he had purchased Sura from Surinder Singh Bedi and when Surinder Singh Bedi was arrested he disclosed during interogation that he had procured the supply of Sura from Naresh Bhardwaj. He did not require Surinder Singh Bedi to produce cash memos etc. which could show that the said Sura bottles had been procured by him from Naresh Bhardwaj. He denied the suggestion as wrong that Surinder Singh Bedi used to manufacture in Delhi itself illicit Sura bottles under different names and styles or that he had involved Naresh Bhardwaj and Karnal Pharmacy, Ghaziabad in order to shield Delhi Police, Delhi Excise and Delhi Drugs Departments. He, however, admitted as correct that his affidavit and statement before the Commission were based on his discussions which he had with his subordinate police officers and not on his personal knowledge. In his cross examination by the counsel for Amrish Bhatnagar, DCP Satish Chandra stated that all those seized bottles were quarter bottles.

PW-62 Mr. Bhimsain Bassi, DCP (North District), Delhi had filed his affidavit No. 62. Paras 6 to 9 and 10 of this affidavit of Mr. Bassi spoke of case FIR No. 286/91 of P.S. Timarpur in North District wherein four empty bottles of 'Karpoor Asav' with few drops therein and a glass with liquid were produced by Smt. Anita wife of deceased Banwarilal son of Pyarelal resident of 112-B Block were sent separately for chemical examination which revealed the presence of Methyl Alcohol therein.

and that the labels on those bottles showed Karnal Pharmacy as manufacturer thereof as also batch No. 114. Banwarilal (deceased) had obtained the said 4 quarter bottles of 'Karpoor Asav' from Duli Chand Chemist at V. Burari in the area of P. S. Timarpur who on 4-11-91 had clandestinely procured a small quantity of 'Karpoor Asav' manufactured by Karnal Pharmacy in Ghaziabad, U. P. and that it was not manufactured in Delhi. In his cross examination by the counsel for Amrish Bhatnagar, DCP Bassi stated that during investigation by the Investigating Officer ASI Brahm Dutt of P. S. Timarpur Duli Chand Chemist of V. Burari had disclosed that he had procured 'Karpoor Asav' quarters through an agent from a firm at Ghaziabad (U. P.) but did not divulge the name of that agent nor the name of the pharmacy. No record/ documents/accounts books were seized by the local police from his shop. He also stated that after the registration of cases, the investigations thereof were transferred to Crime Branch, Delhi. He did not know if labels on the seized bottles or the contents of those bottles were printed/manufactured in Delhi itself and not by Karnal Pharmacy, Ghaziabad and this reply he gave in respect of the suggestion from the counsel for Amrish Bhatnagar. Cross examination of Mr. Bassi further shows that information in para No. 20 of his affidavit that Duli Chand had procured his supplies from manufacturer M/s Karnal Pharmacy, Ghaziabad, is not on his own personal knowledge but on information received from his subordinate police officers i.e. from SHO Ramesh Chand Saini on the basis of preliminary investigations made. He asked SHO Ramesh Chand Saini to see cash memos/records etc. from the shop of Duli Chand but he informed him later on after search by Investigation Officer that no such records were there. Their investigation ruled out the possibility that these people were manufacturing the duplicate, spurious and adulterated contents and were also getting printed labels for the same under the name of Karnal Pharmacy locally. He denied as wrong the suggestion that this possibility was being ruled out by Delhi Police for the reason that otherwise Delhi Police would be to blame for protecting or permiting the manufacturing and sale of such medicine in Delhi itself. His cross examination further clarifies that Duli Chand did not mention the name of Karnal Pharmacy, Ghaziabad, but nothing was found from V. Burari which could suggest that such medicines were manufactured there. He also denied as wrong the suggestion that the source of supply of such medicine was not got investigated so that the real culprit manufacturing such medicines in Delhi could be shelved. He also denied as wrong the suggestion that he simply relied upon the information supplied to him by his subordinate officers and did not further cross-check the same and that the investigation on their level was allowed to remain lukewarm for the reason that he wanted to avoid any blame on the police of North District as also on the entire Delhi Police and put the blame on U.P. Excise Department or U.P. people.

PW-85 Ramesh Chand Saini, SHO of police station Timarpur (North Disirict) filed his affidavit No. 85 which is similar to the one filed by DCP, K.K. Maheshwari of North District in regard to case FIR No. 286/91 of P.S. Timarpur, wherein Banwarilal died on account of consumption of the killer 'Karpoor Asav' from the shop of Duli Chand in V. Burari and the labels on the four empty quarter bottles showing Karnal Pharmacy, Ghaziabad as the manufacturer and batch No. 114 and those bottles and one glass containing some liquor having been produced by Banwarilal's widow Smt. Anita and the chemical analysis of the contents of which, sent separately for expert opinion. revealing the presence of Methyl Alcohol therein as also procuring of the said 'Karpoor Asav' bottles by chemist Duli Chand on 4-11-91 as revealed during investigation. His cross examination by the counsel for Amrish Bhatnagar discloses that during investigation he and ASI Brahm Dutt, Investigating Offieer of this case were told by Duli Chand, Chemist that sometimes some person on scooter would bring to his shop from Ghaziabad and sometimes he would himself go to Ghaziabad for procuring Sura but he did not know the name of that scooter person nor the name of the pharmacy from where he used to procure Sura in Ghaziabad. But he told them that he could lead them to that pharmacy as well as that scooter-man agent. Police remand of Duli Chand though applied for on 8-11-91 was refused by the court and so they could not take him for leading them to the pharmacy in Ghaziabad or for pointing out that scooter-man. Duli Chand was arrested on 7-11-91 and he made the above mentioned disclosure statement on 8-11-91. They could not find any record, documents, bills, cash memos, vouchers from his shop nor any bottles—full or empty—of 'Karpoor Asav'or any other brand of Sura even though they searched his shop with that purpose. On their enquiry Duli Chand told them that all such bottles had been sold away by him on 4th and 5th November, 1991. SHO, Saini also stated that the above-mentioned four bottles were empty but there was a little leftover in the said glass. He also stated that Duli Chand had told them that he had received one 'peti' of quarters of 'Karpoor Asav' on 4-11-91 only. SHO, Saini was present during part of interogation of Duli Chand by Investigating Officer of the said case ASI Brahm Dutt. Regarding the involvement of Karnal Pharmacy he stated that the same came to be known to him only from the lables on the aforesaid quarter bottles and also for the reason that Duli Chand had told him that he used to procure the supply of 'Karpoor Asav' from Ghaziabad even though he never named the said pharmecy before him. He also deposed that atleast in his area, P. S. Timarpur there was no manufacturer of 'Karpoor Asav'. He denied the suggestions as wrong that Delhi Police came under fire due to present tragedy and in order to save local police he had sought to involve Karnal Pharmacy, Ghaziabad or that Karnal Pharmacy, Ghaziabad had no hand in the manufacturing or labelling of the killer Sura under the name of 'Karpoor Asav' or that besides Duli Chand other chemists/druggists within his area used to manufacture 'Karpoor Asav' and also sell the same or that

there were bottles of 'Karpoor Asav' in the chemist's shop of Duli Chand but they intentionally did not seize the same, because in their safety.

In his cross examination by the counsel for Satpal Sethi, SHO Saini stated that Banwarilal (deceased) had purchased 'Karpoor Asav' from the shop of Duli Chand on 5-11-91 as revealed from the investigation and this they learnt from his widow Smt. Anita and her son and brother of Banwarilal and further that in fact it was purchased not by Banwarilal but by his son Raju and brother Suresh for Banwarilal. SHO Saini was not aware if they had given out the name of Duli Chand but he stated that they had lead the police party to the shop of Duli Chand and had also pointed out Duli Chand from whom they had purchased the above-mentioned killer Sura. This pointing out was done on 7-11-1991 not in the presence of SHO Saini but in the presence of Investigating Officer Brahm Dutt, ASI of P. S. Timarpur. Duli Chand was bailed out on 8-11-91 and on that very day they had prayed for his police remand. The investigation of this case remained with the local police of P.S. Timarpur from 8-11-91 to 13-11-91 on which date the investigation of this case was transferred to Crime Branch, Delhi. SHO Saini was not aware if during 8-11-91 to 13-11-91 Duli Chand was required or not by the police to take the police party to Ghaziabad for pointing out the pharmacy from where he had been procuring 'Karpoor Asav' and the same was his reply mutatis-mutandis in regard to the pointing out of the person who used to supply 'Karpoor Asav' to him by bringing the same on scooter for 2/3 months and that they could not know the name of 'scooterwala'. SHO Saini conceded that manufacturing of spurious drugs was possible anywhere and so also the printing of labels but he asserted that he had received no information nor his subordinate police officers told him that the above-mentioned labels were fake. He also conceded that besides the disclosure by Duli Chand that he had been procuring the supply of 'Karpoor Asav' from Ghaziabad and that the aforesaid printed labels mentioned the name of Karnal Pharmacy, Ghaziabad (U.P.) he had no other reason for his conclusion that these labels could not be fake.

In his cross examination by the counsel for Naresh Bhardwaj and Rajiv Sapra, SHO Saini revealed that Smt. Anita had told him that all the above-mentioned four bottles (quarters) had been consumed by Banwarilal (deceased) on 5-11-91 and on his asking she had replied that she had snatched the glass from her husband as he had consumed more than sufficient quantity and that the leftover in the glass was lying as such for two days and that Banwarilal died on the night of 6/7th November, 1991. He was not aware if Duli Chand was available or not nor did the Investigating Officer tell him if Duli Chand was available or not during 8-11--91 to 13-11-91 nor did he enquire from him about the same.

PW-67 Inspector Ajit Singh, SHO of P. S. Prasad Nagar (Central District) has filed his affidavit No. 67 and para No. 3 thereof shows the recovery of 855 bottles of different brands of Sura by the Police of this police station from four licence holders and five persons were arrested in cases FIR Nos. 297 to 300. Out of the aforesaid 855 seized bottles, 9 bottles were sent to CFSL and on analysis samples of 'Karpoor Asav' were found containing Methyl Alcohol and the investigation thereafter was transferred to Crime Branch. In paras No. 5 and 6 of his affidavit he has deposed that the deaths/injuries/deformities were caused due to the presence of Methyl Alcohol in batch No. 114 of 'Karpoor Asav' as cofirmed by chemical examination reports and post-martem reports and that Methyl Alcohol was used by thc manufacturer in total contravention of the drug formula and the licence conditions. His cross examination by the counsel for Amrish Bhatnagar shows that the samples sent to CFSL were only of 'Karpoor Asav' and not of any other brand, as they had learnt that deaths had taken place only on consuming 'Karpoor Asav' and that they received the reports from CFSL on 8th or 9th Novembet 1991. His cross examination by the counsel for Excise Department, Ghaziabad shows that four persons had died in the area of P.S. Prasad Nagar and from their houses empty bottles were recovered which had labels on which was mentioned 'Karpoor Asav' of Karnal Pharmacy, Ghaziabad and batch No. 114 was printed on those labels. In para No. 5 of his affidavit he had mentioned batch No. 116 of 'Karpoor Asav', but in his cross examination he corrected the same as batch No. 114 printed on the labels of the seized bottles by stating further that it had been wrongly mentioned as batch No. 116 out of clerical mistake.

The deposition of PW-69 Mr. P.R. Meena, DCP (Central) is also similar to that of SHO, Ajit Singh. He, however, gave the precise date i.e. 7-11-91 when the report of CFSL in respect of the sample of seized 'Karpoor Asav' bottles, was received and which showed the presence of Methyl Alcohol therein and he produced photo copy of this report of CFSL which is exhibit PW-69/X1.

The statement of Ruder Bahadur, a worker in Karnal Pharmacy, at V. Manota, Ghaziabad (U.P.) and his statement recorded under S.164 Cr. P.C. by Shri R.K. Jain, Metropolitan Magistrate, Delhi photo copy of which is Annexure-'J' of affidavit No. 51 of Mr. R. Tiwari is reproduced below :—

> "I am worker in M/s Karnal Pharmacy where Karpoor Asav is produced. I am working there from last 5-6 months, and my duties were to seal the bottles and pack them also. One Mr. Bhatnagar, Naresh and Raju and Sethi are the owners of Karnal Pharmacy, one Ajay Sharma alias Pappu is Supervisor. 5/6 days before festival of Diwali in this year there was no stock of Asav. I over heard Pappu Ajay Sharma, Naresh, Bhatnagar talking to each other that spirit was not available though it was season of Diwali and production of

Asav was necessary. They were talking as to from where spirit should be arranged. On this Ajay Sharma Pappu told other owners that he would arrange. Next day around mid day Ajay Sharma came to factory premises alongwith five drums of thinner. I with the help of other workers took the drums inside the factory. When the drums were opened they emited foul smell. I informed Ajay Sharma that the goods were not in order. Ajay Sharma directed us to make Asav. He mixed one drum of thinner with water immediately white bubbles came out of that mixture. We refused to pack that material and Ajay Sharma asked us covered. Next day Ajay Sharma called all the four owners to the factory. Naresh one of the factory owners asked me to taste the mixture which was left under cover on previous day. I dipped my finger in the mixture and thushed my tounge with that finger. I felt a strange sensation on my tounge. I again protested with the owners that the material was not fit but they insisted that it should be packed because it was Diwali Season. We prepared Asav from thinner for 2-3 days continuously and packed them. All the four owners of the factory used to take away the finished bottles in a matador and the entire stock was supplied by the owners.

RO & AC

Sd/- 16-11-91
M.M. Delhi

It is further clear from the aforesaid Annexure-'J' that Ruder Bahadur was identified by I.O. S.I. Ran Singh at the time of his statement. Thereafter there is a certificate by the Magistrate on the same date.

In his cross examination by Mr. Grover, Mr. R. Tiwari stated on seeing from case FIR No. 394 dated 6-11-91 of P.S. Ashok Vihar the carbon copy of statement of Ruder Bahadur under S. 164 Cr. P.C. that it bore the signatures of Ruder Bahadur and denied the suggestion as wrong that the signatures of Ruder Bahadur thereon were manipulated, the same being a court document. Mr. Tiwari also denied as wrong the suggestion that Ruder Bahadur had not signed his statement as he was forcibly made to make that statement.

Naresh Bhardwaj and Rajiv Sapra filed an affidavit purporting to that of Ruder Bahadur in defence and the same had also been shown to Mr. R. Tiwari, during his cross examination but Mr, Tiwari, on seeing that affidavit (marked 'Z') could not say if it was really by Ruder Bahadur. Ruder Bahadur could not be produced in the witness box in defence to depose to the factum of the said affidavit being his as also about the correctness thereof wherein he purports to have resiled from his statement recorded under S. 164 Cr. P.C. and could also not being subjected to cross examination by the counsel for Delhi Police in respect

of that resiling, and so this affidavit cannot be read into evidence by the Commission. Even if this affidavit be taken as that of Ruder Bahadur, the same does not appear to represent the truth as against the contents of his statement recorded under S. 164 Cr. P.C. which gives a vivid picture of the happening regarding the preparation and protests and smelling of the killer Sura in the premises of Karnal Pharmacy, Ghaziabad when Amrish Bhatnagar and Naresh Bhardwaj were present there on one day and then all the four partners on the next day and the user of 'Thinner' for the preparation of Asav at the direction of Supervisor Ajay Sharma.

The statement (Annexure-I of affidavit of Mr. R. Tiwari) recorded under S. 164 of Cr. P. C. of Naresh Goel in case FIR No. 394/91 dated 6-11-91 shows that Naresh Goel is doing business of Paints and Thinner at Muradnagar in the name and style of Bharat Enterprises of which he is the sole proprietor and that 4/5 days prior to Diwali Ajay Sharma came to him and made enquiries about 'Polish Thinner'. He had met Ajay Sharma once at Ghaziabad at the shop of his cousin Jayprakash who has a shop at Ghantaghar, Ghaziabad. Naresh Goel offered to sell Thinner to Ajay Sharma @ Rs. 2200/- per drum and that one drum contains 200 litres of 'Polish Thinner' and Ajay Sharma placed an order of 5 drums of Thinner on the pretext that he wanted to supply Thinner to others whereupon Naresh Goel asked him to come the next day. His statement further shows that on 2-11-91 supply of 'Polish Thinner' came to him from M/s Petrolium Chemical Works, 20, Mayaganj, Ghaziabad, and when stock was being unloaded Ajay Sharma came and he (Naresh Goel) sold him (Ajay Sharma) 5 drums of 'Polish Thinner' against cash payment of Rs. 11,000/-. His statement further shows that he issued a cash memo against the cash and Ajay Sharma thereafter left with 5 drums of 'Polish Thinner'. At the time of this statement of his, Naresh Goel was identified by S. I. Satish Yadav. There is a certificate below the statement of Naresh Goel by the Metropolitan Magistrate showing that the statement was true and correct with the further order that the said statement be sent in a sealed cover to the court concerned.

In his cross examination by the counsel for Naresh Goel, Mr. R. Tiwari, PW-51 stated that as far as his knowledge went there was no law regulating or prescribing the sale, storage or purchase of Thinner Polish in U. P. and that Naresh Goel had a shop in Muradnagar and is witness in a criminal case. Mr. Tiwari also told during his cross examination that Ajay Sharma, Manager of Karnal Pharmacy told during investigation that he had purchased Thinner from Mr. Naresh Goel and then at another place has admitted as correct that Thinner can be sold in open market without permit.

The Commission summoned two experts viz. Mr. V. S. Bisaria, Head of Chemistry Division, CFSL (CW 17) and Mr. K. C. Sharma, Asstt. Drugs Controller

(India), Government of India (CW 18) as witnesses of the Commission to give their opinions in repect of Thinner and Methyl Alcohol both of which were declared poison under the Poisons Act. In 1973 an amendment was made in the Delhi Poisons Rules by which Methyl Alcohol and Thinner were included as poisons under these Rules. This notification was challenged in Supreme Court in M/s Goodwill Paints and Chemicals Industries Vs. Union of India (Writ Petition (Civil) No. 677/88) and the Supreme Court on 27th September, 1991 held that the amendment made by the State Government including 'Thinner' as poison was valid.

In the opinion of Mr. K.C. Sharma, CW-18 "Methyl Alcohol is also known as Methanol and it is one of the thinners used in paints. When it is consumed by a person it is dangerous to health and can even cause death. It is one of the cheapest solvents". Mr. K.C. Sharma has been working as Asstt. Drugs Controller (India) since 9-8-91 and prior to that he had been working as Drugs Inspector at Madras for about 18 years and during all this period he had the experience and knowledge of chemistry of various drugs.

Mr. V.S. Bisaria, CW-17 is the Head of Chemistry Division, CFSL and has been working as Senior Scientific Officer, Grade-I and Head of Chemistry Division, CFSL since July, 1985 and prior to that had been working in the same department as Senior Scientific Officer, Grade-II since 1970 and during this experience of his he had the experience of analysis of various drugs, different types of liquors, petroleum products and the analysis of poison in biological materials and also tendered his opinion in various courts including the liquor death tragedy which occurred in Delhi in the past, before Baweja Commission. He has also published papers in different journals at National and International levels and under went training in the Analytical technique both in India and abroad and had also been associated with the various teaching programmes for different ranks of Investigating Officers and University students. According to his opinion ".....Methyl Alcohol is also termed as Methanol. The symptoms of acute poisoning by Methyl Alcohol include drowsiness, nausea, vomiting, vertigo, headache, sometime spigastric pain and visual defects, frequently succeeded by blindness. There are cardial depression, dyspnoea, cyanosis, cold sweets subnormal temperature, confusion, delirium, convulsions, and unconsciousness, followed by coma and death. Many fatal cases of poisoning have occurred. I have stated the above mentioned opinion on the basis of Medical Jurisprudence and Toxicology by John Glaister and Edgar Rentoul, Twelfth Edition, 1966 (pages 606 and 607). The same opinion has been expressed in other Standard Text Books also. Some of which I have brought with me today. Thinners are solvent of different chemicals composition which are low boiling easily misicible with one another and get evaporated after certain intervals. The Thinners are methanol based also but not necessarily the substances used as thinners should contain methanol. Methanol i. e. methyl alcohol based thinners are usually colour

less but commercially other thinners in the coloured form are also available. Thinner as such is colourless but when some impurities of colouring dyes are added, it becomes coloured. Methyl Alcohol cannot be separated from thinner by using potasium permanganate. This process cannot remove the methyl alcohol from the thinner and thus the methyl alcohol in the thinner can lead to methyl alcohol poisoning & the symptoms referred to above and will lead to death if consumed by the subject."

Then we have opinions of CFSL in as many as 11 cases in regard to the presence of Methyl Alcohol in the samples as also in respect of the caps of quarter bottles rendomly selected out of the seized quarter bottles of 'Karpoor Asav' from various retailers, which could have been capped by using the Bottle Caping Machine (Exhibit MK) seized for the factory premises of M/s Karnal Pharmacy, Ghaziabad and also the labels on the seized bottles of 'Karpoor Asav' in respect of printed matter, colour combination design characterstic being similar with the labels recovered from the factory premises of M/s Karnal Pharmacy, Ghaziabad, etc. etc. Summaries of the opinion of CFSL in 11 criminal cases have also been filed by Mr. R. Tiwari by stating further that the same have been correctly prepared in his office on the basis of the record as also with the help of various Investigation Officers of those cases and that the same are Exhibit PW 51/4 to Exhibit PW 51/14. It would be very much worth while and even necessary to set out the same here below and are accordingly reproduced as under :—

Exh. PW 51/4 Opinion Reference No. CFSL-91/T-4239 dated 11-2-92 (Chemistry) CFSL-91/T-4239 dated 30-1-92 (Physics)	Summary of opinion 1. Cap of quarter bottle randomly selected out of total seizure of 50 quarters of Karpoor Asav recovered from the shop of retailer Sita Ram, accused on 7-11-91, (exhibit A-1), could have been capped by using exhibit MK (Bottle Capping Machine) seized from the factory premises of M/s Karnal Pharmacy, Ghaziabad on 9-11-91. 2. The contents of above said exhibit A-1 also gave positive test for Methyl Alcohol.
Exh. PW 51/5 CFSL-91/T-4109 dated 30-1-92 (Physics) CFSL-91/T-4109 dated 6-2-92 (Chemistry) CSFL-91/T-4109 dated 15-11-91	1. Caps of two quarter bottles (empty) seized from the Jhuggi of deceased Arjun Singh and Gobind on 7-11-91 (exhibits 1A & 1B), could have been capped by using bottle Capping Machine (exhibit MK) seized from the business premises of M/s Karnal Pharmacy, Ghaziabad (U. P.) on 9-11-91.

2. Caps of two quarter bottles recovered from the shop of accused Ramesh Chand, randomly selected out of total seizure of 110 quarter bottles of Karpoor Asav (exhibit 2A and 2B) could have been capped by using bottle Capping Machine (exhibit M.K.) seized from the factory premises of M/s Karnal Pharmacy, Ghaziabad, U.P.

3. Paper label affixed on one quarter bottle recovered from the shop of accused Ramesh Chand randomly selected out of the total seizure of 110 quarter bottles of Karpoor Asav (exhibit 2A) is similar in respect of printed matter, colour combination and design characteristics with label recovered from the factory premises of M/s Karnal Pharmacy, Ghaziabad (U.P.) on 9-11-91 (exhibit M.L.).

4. Both exhibits 2a and 2b (at sl. no. 2 above) gave positive tests for "Methyl Alcohol".

5. Viscera of deceased Gobind preserved by doctor on 7-11-91 marked exhibit 5(a), (b) & (c) gave positive tests for Methyl Alcohol.

Exh. PW 51/6
CFSL-91/T-4404 dt. 31-1-92 (Physics)
CFSL-91/T-4404 dt. 11-2-92

1. 5 quarter bottles (empty) recovered from the shop of Ashok & Ram Sarup (Father & Son) on 6-11-91 each having label of white and blue colour combination (exhibit 1 to 5) are similar to the label recovered from the factory premises of M/s Karnal Pharmacy, Ghaziabad on 9-11-91 (exhibit M.L.) in respest of their printed matter, colour combinations and design characteristics.

Exh. PW 51/7
CFSL-91/T-2436 dt. 26-3-92
CFSL-91/T-2436 dt. 24-3-92

1. Two quarter bottles containing fews drops of Karpoor Asav recovered from the Jhuggi of deceased persons Ganesh Mehto and Sadhev Mehto. (Exhibit 1 and 2) gave positive test for Methyl Alcohol.

2. Labels on the above said both the Exhibits (1 & 2) are similar in respect of printed matter, colour combination and design characteristics with the label recovered from the factory premises of M/s Karnal Pharmacy, Ghaziabad on 9-11-91 (exhibit-ML).

Exh. PW 51/8
CFSL-91/T-4348 dt. 31-1-92
CFSL-91/T-4348 dt. 6-2-92

1. 5 quarters of Karpoor Asav recovered from house of Sumer Chand at No. 459, village Azadpur on 9-11-91, selected randomly out of total seizure of 250 quarters of Karpoor Asav (exhibit 1A and 5 A) gave positive test for Methyl Alcohol.

2. Caps of Exhibit 1A to 4 A out of the above said exhibits (1A to 5A) could have been capped by the bottle Capping Machine, recovered from the factory premises of M/s Karnal Pharmacy Ghaziabad on 9-11-91 (exhibit MK).

3. Labels of Exhibit No. 1A to 3A, out of the above said exhibit (1A to 5A) are similar in respect of their printed matter, colour combination, and design characteristics with the label recovered from the factory premises of M/s. Karnal Pharmacy, Ghaziabad on 9-11-91 (exhibit ML).

Exh.PW 51/9
CFSL-91/T-4278 dt. 27-3-92
CFSL-91/T-4278 dt. 24-3-92

1. One quarter bottle without cap of Karpoor Asav produced by Raj Kumar, brother-in-law of deceased on 9-11-91 (exhibit-B) containing few drops gave positive test for Methyl Alcohol.

2. One quarter bottle of Karpoor Asav recovered from the house of accused Om Prakash on 7-11-91, selected randomly out of total seizure of 50 quarters of Karpoor Asav (exhibit-A) gave positive test for Methyl.

3. Cap of above said (exhibit-A) could have been capped by the bottle Capping Machine recovered from the factory premises of M/s Karnal Pharmacy, Ghaziabad on 9-11-91 (exhibit-MK).

4. Stomach wash (exhibit-C) of the deceased gave positive test for Methyl Alcohol.

Exh. PW 51/10 CFSL-91/T-4238 dt. 27-3-92 CFSL-91/T-4238 dt. 26-3-92	1. One quarter bottle of Karpoor Asav selected randomly out of total seizure of 50 quarters of Karpoor Asav recovered from Shop No. 472, Village Azad Pur of Janki Parshad accused on 7-11-91 (exhibit 2A) gave possitive tests for Methyl Alcohol. 2. One quarter bottle of Karpoor Asav produced by the wife of deceased Gurbachan on 7-11-91 (exhibit 5A) gave positive test for Methyl Alcohol. 3. Caps of the above said exhibits (2A and 5A) could have been capped by the bottles capping machine recovered from the factory peremises of M/s Karnal Pharmacy, Ghaziabad on 9-11-91 (exhibit MK).
Exh. PW 51/11 CFSL-91/T-4217 dt. 27-3-92 CFSL-91/T/4217 dt. 26-3-92	1. Caps of two empty quarter bottles of Karpoor Asav produced by Smt. Saraswati w/o deceased Jai Prakash on 8-11-91 (exhibit 1 & 2) could have been capped by the bottle capping machine recovered from the factory premises of M/s Karnal Pharmacy, Ghaziabad (exhibit MK). 2. Result of Viscera of deceased Jai Prakash is awaited. Note :—Exhibits 1 & 2 (above) gave negative test for Methyl as the same were empty quarters.
Exh. PW 51/12 CFSL-91/T-4235 dt. 29-2-92 CFSL-91/T-4235 dt. 26-2-92	1. One quarter of Karpoor Asav recovered from the Jhuggi of victim Bangali containing few drops of Karpoor Asav, on 9-11-91 (exhibit-1) gave positive ests for Methyl Alcohol. 2. Label of the above said exhibit (1) is similar in respect of printed matter, colour combination and design characteristics with label recovered from the factory premises of M/s Karnal Pharmacy, Ghaziabad on 9-11-91 (exhibit ML).

Exh. PW 51/13
CFSL-91/T-4486 dt. 27-3-92
CFSL-91/T-4486 dt. 26-3-92

1. Two empty quarters of Karpoor Asav recovered from the house of deceased (exhibit I & II) gave negative test for Methyl.

2. Cap of above said quarter (exhibit 1) could have been capped by bottle capping machine recovered from premises of M/s Karnal Pharmacy, Ghaziabad on 9-11-91 (exhibit MK).

3. Viscera report is awaited.

Note :—Negative tests for Methyl because the quarters were empty.

Exh. PW 51/14
CFSL-91/T-4085 dt. 7-11-91
CFSL-91/T-4450 dt. 30-1-92
CFSL-91/T-4450 dt. 11-2-92

1. Two samples quarter bottles containing thinner taken out of a jery cane containing thinner recovered from sugar cane field on 14-11-91 at the instance of accused Ajay Kumar Sharma (Behind factory, Karnal Pharmacy, Ghaziabad (exhibit 1a & 1b) gave positive test for thinner.

2. One sample quarter of Karpoor Asav selected randomly out of total seizure of 25 quarters of Karpoor Asav recovered at the instance of accused Rajiv Sapra from Ganda Nala, Gokal Puri on 14-11-91 (exhibit-2) gave positive test for Methyl Alcohol.

3. Two sample quarters of Karpoor Asav selected randomly out of total seizure of 100 quarters of Karpoor Asav recovered in two bags at the instance of accused Amrish Bhatnagar from Chunna Bhatti, Vill. Chotha Narsan, Distt. Haridwar, U. P. on 17-11-91 (exhibit 3 & 4) gave positive test for Methyl Alcohol.

4. Two wide mouth Jars and one Phial containing Stomach, Intestine with contents, liver, spleen & kidney and blood preserved by doctor while conducting P. M. on the body of deceased Islam on 7-11-91 (exihibit 5 (a), (b) & (c) gave positive test for Methyl Alcohol.

5. Two wide mouth Jars & one Phial containing Stomach, Intestine with contents, liver, spleen & kidney and blood. Preserved by doctor while conducting P. M. on the body of deceased Nazeer on 7-11-91 (exhibits 6 (a), (b) & (c) gave positive test for Methyl Alcohol.

6. One quarter of Karpoor Asav recovered from the house of deceased Nazeer on 6-11-91 (exhibit-1) gave positive test for Methyl Alcohol. (CFSL-91/T-4085)

7. Nine quarters of Karpoor Asav selected randomly out of total seizure of 391 quarters of Karpoor Asav, recovered from the house of accused Rajesh Kumar on 6-11-91 (exhibit 2 to 10) gave positive test for Methyl Alcohol. (CFSL-91/T-4085)

8. 6 quarters of Karpoor Asav selected randomly out of total seizure of 274 quarters of Karpoor Asav, recovered from the godown of accused Ram Niwas Mittal on 6-11-91 (exhibit 11 to 16) gave positive test for Methyl Alcohol. (CFSL-91/T-4085)

9. Four dyes of Karnal Pharmacy recovered at the instance of accused Naresh Bhardwaj from his house on 13/11/91 (exhibit 7a, b, c & d). Out of which 3 dyes of (Printed block marked exhibit 7a, 7b & 7c) could have been used for printing Yellow/ White/Red and Black portions respectively of paper label (exhibit 4, one sample quarter of Karpoor Asav selected randomly out of total seizure of 100 quarters of Karpoor Asav recovered at the instance of accused Amrish Bhatnagar from Chunna Bhatti, Vill. Chotta Narsan, Distt. Haridwar U.P. on 17-11-91 (opinion CFSL-91/T-4450) and exhibit and 1 to 4, 5, 8 & 10 quarters of Karpoor Asav selected randomly out of total seizure of 391 quartors recovered from the house of accused Rajesh Kumar on 6-11-91 and exhibit 11 to 14 quarters of Karpoor Asav selected randomly out of total seizure of 274 quarters of Karpoor Asav.

recovered from the godown of accused Ram Niwas Mittal on 6-11-91 (CFSL Opinion No. CFSL 91/ T-4085) as test print prepared from printing block show identical characteristics & general physical appearance.

10. Cap of exhibit 4 selected randomly out of total seizure of 100 quarters of Karpoor Asav recovered at the instance of accused Amrish Bhatnagar from Chunna Bhatti, Village Chotta Narsan, Haridwar (U.P.) on 17-11-91 (CFSL-91/T-4450) is similar to exhibits 7, 8 & 9. Samples quarters of Karpoor Asav selected randomly out of total seizure of 394 quarters of Karpoor Asav recovered from the house of accused Rajesh Kumar on 6-11 91 and exhibit 13, 15 & 16 samples querters of Karpoor Asav selected randomly out of a total seizure of 274 quarters of Karpoor Asav recovered at the instance of accused Ram Niwas Mittal from his godown on 6-11-91 (CFSL-91/T-4085).

11. Labels on exhibits 2, sample bottle of Karpoor Asav, selected randomly out of a total seizure of 25 quarters of Karpoor Asav recovered at the instance of accused Rajiv Sapra from Ganda Nala, Gokal Puri on 14-11-91 and exhibit 3, one sample quarter bottle of Karpoor Asav, selected randomly out of a total seizure of 100 quarters of Karpoor Asav recovered at the instance of accused Amrish Bhatnagar from Chunna Bhatti, Vill. Chotta Narsan, Haridwar (U.P.) on 17-11-91 (CFSL-91/T-4450) are similar to exhibit 6, 7, 8 & 9, sample quarter bottle of Karpoor Asav, selected randomly out of a total seizure of 391 quarters of Karpoor Asav recovered at the instance of accused Rajesh Kumar on 6-11-91 and exhibit 15 & 16 sample quarters of Karpoor Asav, selected randomly out of total seizure of 274 quarters of Karpoor Asav recovered from the godown of accused Ram Niwas Mittal on 6-11-91 (CFSL-91/T-4085) in respect of their printed matter colour combination design characteristics.

12. Labels on exhibits 4, sample quarter of Karpoor Asav, selected randomly out of total seizure of 100 quarters of Karpoor Asav recovered at the instance of accused Amrish Bhatnagar from Chunna Bhatti, Village Chotta Narsan, Haridwar (U. P.) (CFSL-91-T-4450) are similar to exhibits 1 to 5 & 10, sample quarter of Karpoor Asav, selected randomly out of total seizure of 391 quarters of Karpoor Asav recovered from the house of accused Rajesh Kumar on 6-11-91 and exhibit 11 to 14 sample quarters of Karpoor Asav, selected randomly out of total seizure of 274 quarters of Karpoor Asav recovered from the godown of accused Ram Niwas Mittal on 6-11-91 (CFSL-91/T-4085) in respect of their printed matter colour combination design characteristics."

Para 12 of affidavit No. 114 deposed to by Raghu Raj Singh Chauhan, Station Officer, Police Station, Sector-20, NOIDA, District Ghaziabad who had earlier remained posted as Station Officer Incharge of Police Station Muradnagar in the District of Ghaziabad from 15-2-91 to 18-12-91 and within whose jurisdiction M/s Karnal Pharmacy, Ghaziabad was situated, shows that on the night between 6th and 7th November, 1991, Shri C. K. Bhardwaj, Asstt. Excise Commissioner, Ghaziabad accompanied by several other excise officials came to P. S. Muradnagar and they alongwith Raghu Raj Singh and some other police officials went to Karnal Pharmacy and in the presence of chowkidar and labourers of the said pharmacy carried out a search of the same premises and on such search except for empty bottles and 'Bardana', nothing else was recovered and a search memo Annexure-15 of his affidavit was prepared on the spot.

In para No. 13 of his affidavit Raghu Raj Singh Chauhan deposed that on 7-11-91 in the morning a party of Police Crime Branch, Delhi came to P.S. Muradnagar for conducting a search of the said pharmacy and the excise officials of Ghaziabad also came there at about the same time, and again a search of the premises of Karnal Pharmacy, Muradnagar, Ghaziabad was carried out when from the stocks of empty bottles 3 quarter bottles having some liquid therein with seals thereon but without label of Karnal Pharmacy were recovered and a search memo was prepared on the spot which was also signed by him and Annexure-16 of his affidavit is a photo copy of the said search memo.

The search memo Annexure-15 shows that with the exception of empty bottles and 'Bardana' nothing also was found out from the premises of this pharmacy, whereas

Annexure-16 gives a sufficiently long list of 15 items out of which item No. 5 pertains to the recovery of "one packet label of 'Karpoor Asav' of Karnal Pharmacy (Regd.), Ghaziabad" and item No. 6 pertains to the recovery of 3 quarter bottles containing brownish liquid.

His cross examination shows that after the search on the night of 6-11-91 the premises of Karnal Pharmacy, Ghaziabad were sealed by the Excise team with the seal of K.C. Sharma, Excise Inspector and on that very seal his seal appearing with his name (Raghu Raj Singh Chauhan) also put on the premises and the seals were exchanged that is seal of this witness was handedover to excise team and the seal of excise team to this witness. The Crime Branch Officers had come to his police station on 7-11-91 at about 9.00 a.m. and asked him and the officials of the excise team of Ghaziabad to open the seals on the such premises and the seals were thereupon opened and a memo in that regard was prepared. According to him search on the night of 6-11-91 continued from 10.00 p.m. to 12.30 a.m. whereas the search on 7-11-91 by Crime Branch officials continued from 9.00 a.m. to 1.30 p.m. and that Ruder Bahadur, chowkidar of Karnal Pharmacy was present during both these searches but he attested only one search memo which is Annexure-16 of his affidavit and which evidences search conducted by the officials of the Crime Branch. Ruder Bahadur was relieved at 12.30 a.m. in the night of 6-11-91. He was again present when the second search on the morning of 7-11-91 took place. He had his residence in those very premises of Karnal Pharmacy, Ghaziabad but not inside the sealed portion thereof and his residence comprises a room which is on the right side as soon as one enters the main premises. He denied the suggestion as wrong that Ruder Bahadur was under any wrongful detention who was later handedover to the officers of Crime Branch, Delhi.

Cross Examination of Raghu Raj Singh Chauhan also shows that he did not call upon any respectable from nearby to witness the above mentioned searches. No work was being done in Karnal Pharmacy premises when the searches were conducted and there were 3/4 rooms behind where some labourers were residing and two of them told him that they had been working there for the last two months; one told him that he had been working there for the last 6 months and another told him that he had been working there for the last four days. No register was found in the premises of Karnal Pharmacy during the said searches and the labourers, on his asking, told him that no work was being done there for the last about 2/3 months. This witness could not say if this pharmacy was lying closed for about 2 years preceding the tragedy but stated that the above mentioned labourers told him that no partner of the said pharmacy had come there for the last 3/4 months, nor any work was being done there for the last 3/4 months. It does not appear to be reasonable as to how the said

pharmacy could be lying closed for about two years prior to this tragedy or no partner thereof came there for 3/4 months or no work was being done there for the last about 3/4 months, when those labourers were actually residing there in the rooms behind in the premises of this pharmacy and on this point this witness was wrongly informed by those labourers, especially when he admittedly did not record the statement of any of the said labourers that Karnal Pharmacy had not been working for about 3/4 months nor did he know this fact anywhere, even though, as stated by him, he was not investigating any case.

In his cross examination by the counsel for Delhi Police this witness Raghu Raj Singh Chauhan admitted that the recovery indicated in the search memo Annexure-16 of his affidavit was in fact effected and it was truely prepared at the spot. It would this mean that the recoveries shown in the search memo Annexure-15 of his affidavit prepared after the search was conducted on the night of 6th and 7th November, 1991 jointly by the excise team of Ghaziabad and the police team of Ghaziabad were very much incomplete and the search evidenced by the search memo Annexure-16 was complete and true regarding all the items mentioned therein as having been recovered from the premises of Karnal Pharmacy, Ghaziabad. It looks necessary to reproduce the list of recovered items as mentioned in Annexure-16 and the same are reproduced below :—

1. One hundred Dhakkan (lid) bearing Karnal Pharmacy Ghaziabad base of lid is yellow and there are blackish square and Rectangles.
2. Twelve empty Quarter bottles without any label.
3. Three Packing rench (used for packing).
4. One Sachorin 550 tin box containing white powder substance.
5. One Packet label Karpoor Asav of Karnal Pharmacy Registered Ghaziabad.
6. Three Quarter bottle containing brownish liquid (The bottles have been sealed with the seals of RSP, UPP K. Singh, Uttar Pradesh Abkari Vibhag.

The following packing articles :—

1. 228 bags containing Empty Quarter bottles
2. Four wooden boxes containing Empty Quarter bottles
3. Two Machines
4. Three bags containing Dhakkan (lid) of Karnal Pharmacy Ghaziabad
5. Eighteen wooden carrets

6. Two mixing drums
7. One block cane containing acid
8. One drum big size containing liquid *out of which one sample in a Quarter bottle has been taken and sealed with the seals of RSP, UPP K, SINGH, Uttar Pradesh Abkari*
9. One Empty drum.

I also inspected the premises of M/s Karnal Pharmacy, Muradnagar, Ghaziabad (U.P.) on 3-1-92 and also recorded the inspection note in respect of the same which is reproduced below :—

"Spot Inspection of Karnal Pharmacy, Ghaziabad, UP done by me today from 11.00 AM to 12 Noon in the presence of the following officers :—

1. S/Shri R. Tewari, IPS
   Deputy Commissioner (Crimes), Delhi
2. Virender Singh,
   ACP (Crimes), Delhi
3. Sohan Vir Singh,
   Inspector (Crimes), Delhi
4. R. Narayana, IAS
   Excise Commissioner, Delhi
5. A. B. Shukla,
   Deputy Commissioner (Excise), Delhi
6. G. C. Lal, Deputy Drug Controller, Delhi
7. B. B. Vajpayee, Asstt. Drug Controller, Delhi
8. P. P. Sharma, Officer on Special Duty
9. Dr. S. K. Sharma, Drug Inspector (Ayurvedic)
10. Rajinder Singh Malhan,
    SDM (Murad Nagar), Ghaziabad, U.P.
11. C. K. Bhardwaj,
    Asstt. Commissioner (Excise), Ghaziabad, U. P.
12. V. P. Mowar,
    Medical Officer (Incharge) Drugs
    Murad Nagar, Ghaziabad, U. P.
13. Dr. S. K. Sharma, Medical Officer (Drugs)
    Murad Nagar, Ghaziabad, U. P.

14. Manohar Singh, SHO,
Murad Nagar, Ghaziabad, U. P.

15. Charan Singh,
I. O. of the case,
Police Station Murad Nagar,
Ghaziabad, U. P.

Photographs of the Spot also taken during Inspection by the Photograper brought by the officers of the Crime Branch. In these premises, there was a big hall in the rear where a few empty identical bottles were found lying in the empty crates. One of the bottles was taken possession of by Mr. Kapoor, Secretary to the Commission and the same is marked 'No. 1' for record.

A large number of bundles of printed lables of the Karnal Pharmacy, Ghaziabad, U. P. were also found in this hall and one bundle of these lables was also taken possession of by Mr. Kapoor and the same is marked 'A'.

In the front of these premises, there was a big room and entering the same, there was a small room where a few big empty drums were found and a few packed medicines bearing the name of Karnal Pharmacy, Ghaziabad were also found together with the Printed Bill Book bearing no entries and this Bill Book bears printed name 'Karnal Pharmacy (Registered)' and is marked 'B'."

The recovery & seizure of so many quarter bottles from a number of chemist/ druggist and other ordinary shops, of the killer Sura under the name and guise of ayurvedic medicine 'Karpoor Asav' immediately after the tragedy in the areas of a number of police stations in Delhi, by the Delhi Police and the sending of the samples therefrom to CFSL and other labs including Pharmacopacial Laboratory for Indian Medicines, Ministry of Health and Family Welfare, Ghaziabad (U.P.) and the reports of the government analysts in respect thereof showing the presence of Methyl in these samples, and the lables of all such seized bottles bearing the name of 'Karpoor Asav', batch No. 114 and the name of the manufacturer thereof as M/s Karnal Pharmacy (Regd.), Ghaziabad, takes the matter of responsibility of the preparation of the killer Sura atence to M/s Karnal Pharmacy (Regd.), Ghaziabad, U.P. It would be further seen that all such seized bottles of 'Karpoor Asav' are the quarter bottles and also bear the same manufacturing date as 6/91. The aforesaid summary of the various reports of CFSL shows that a cap of quarter bottles randomly selected out of total seizure of 50 quarters of 'Karpoor Asav' recovered from the shop of Sita Ram, retailer on 7-11-91; caps of two quarter bottles (empty) seized from the jhuggi of deceased Arjun Singh and Gobind on 7-11-91 and caps of two quarter bottles recovered from the shop of accused Ramesh Chand randomly selected out of the total seizure

of 110 quarter bottles of 'Karpoor Asav' could have been capped by using Bottle Capping Machine (Exhb. MK) seized from the factory premises of M/s Karnal Pharmacy (Regd.), Ghaziabad, U.P. This summary further shows that paper label affixed on one quarter bottle recovered from the shop of accused Ramesh Chand, randomly selected out of the total seizure of 110 quarter bottles of 'Karpoor Asav', is similar in respect of printed matter, colour combination and design characteristics with the label recovered from the factory premises of M/s Karnal Pharmacy, Ghaziabad on 9-11-91 (Exhb. ML). These are only a few examples taken from the above mentioned summary which contains a number of such similarities in respect of the caps and the lables and the same need not be recaptulated here as the summary has been already set out and reproduced in full in the earlier pages in this report. It would be further noted that this summary pertains to as many as 11 cases only the reports in respect of which had been received from CFSL by the Crime Branch, Delhi whose officers were investigating nearly 300 criminal cases arising out of this tragedy and the reports of CFSL had not been received in respect of the remaining cases by the Crime Branch which thus could not produced the same or the summary thereof before the Commission, but it is not difficult to say that the reports in respect of these remaining cases must also be identical with the reports summary in respect of which has been reproduced above. The perusal of this summary also shows that samples were selected at random out of the seized quarters of 'Karpoor Asav' as also at the instance of Amrish Bhatnagar and Rajiv Sapra and the same compared interse by the CFSL which reported similarity in the caps as also in respect of their printed matter, colour combination and design characteristics.

This summary, also showns another very important comparison and consequent similarity and that is that four dyes of Karnal Pharmacy were recovered at the instance of accused Naresh Bhardwaj from his house on 13-11-91, out of which three dyes of printed block could have been used for printing yellow/white/red and black portions respectively of paper lable (one sample quarter of Karpoor Asav selected randomly out of total seizure of 100 quarters of Karpoor Asav recovered at the instance of Amrish Bhatnagar from Chunna Bhatti, V. Chotta Naraan, Distt. Hardwar, U.P. on 17-11-91) and a few quarters of "Karpoor Asav" selected randomly out of total seizure of 391 quarters recovered from the house of Rajesh Kumar on 6-11-91 and some quarters of 'Karpoor Asav' selected randomly out of total seizure of 274 quarters of 'Karpoor Asav' recovered from the godown of Ram Niwas Mittal on 6-11-91, as test print prepared from printing block, show identical characteristice and general physical appearance.

In the face of so much of the above mentioned scientific evidence bringing out the comparison referred to above it looks quite difficult for Karnal Pharmacy (Regd.), Ghaziabad to escape from its responsibility in regard to the manufacture, preparation, bottling and sealing in respect of the killer Sura, specially in view of the aforesaid similarities present in the materials seized at the instance of Amrish Bhatnagar, Rajiv Sapra and Naresh Bhardwaj all alleged to be the partners of this pharmcy.

The cross examination of Mr. R. Tiwari shows that on 9-11-91 samples were taken from the containers as also the wet earth underneath the bottling machine and capping machine and drums were also taken from the premises of Karnal Pharmacy, Ghaziabad and sent to CFSL but the report of CFSL did not show the presence of Methyl therein. In replies to the Commission's questions Mr. Tiwari has stated that the purpose of lifting these samples was to connect the killer brew seized from the scone of crime including the residences of the victims and shops also in Delhi with the Karnal Pharmacy and it has been established by CFSL that the capping of all the seized quarter bottles of the killer brew have been done at the above mentioned Bottle Capping Machine found installed in Karnal Pharmacy, Ghaziabad. He proved one such report of CFSL as Ex. PW-51/1. The perusal of this report shows, as also stated by Mr. Tiwari, that this report covers two samples of metalic caps of two quarter bottles selected at rendom from amongst 100 seized bottles in case FIR No. 286/91 of P.S. Adarsh Nagar and their caps revealed gross similarities in respect of capping mechanism with that of Exhibits MX, MY and MZ when capped using machine marked Exhibit MK. The said two samples were marked MF and MR (These exhibits are of Ex. PW-51/1). He also proved one other similar report of CFSL in case FIR No. 394/91 of P.S. Ashok Vihar, Delhi and the report of CFSL is Ex. PW-51/2 and in this case as many as 665 quarter bottles of killer brew were seized by the police.

Added to all this is the statement of Naresh Goel, businessman of Muradnagar, District Ghaziabad from whose shop Ajay Sharma alleged Supervisor/Manager of M/s Karnal Pharmacy, V. Manota, Muradnagar, Distt. Ghaziabad purchased 5 drums of 'polish thinner' for a cash price of Rs. 11,000/- against a cash memo on 2-11-91 only a few days prior to Diwali last which fell on 5-11-91 and this statement of Naresh Goel has been recorded under S.164 Cr. P.C. in the court of Shri R. K. Jain, Metropolitan Magistrate, Delhi which speaks accordingly regarding the purchase by Ajay Sharma.

'Thinner' and 'Methyl Alcohal' were declared as poisons and included as such in 1973 by means of an amendment in the Delhi Poisons Rules. The opinion of Mr. K. C. Sharma, CW-18 that Methly Alcohal is also known as 'Methanol' and it is one of the Thinners used in paints and when it is consumed by a person it is dangerous to health and caneven cause death and it is one of the cheapest solvents and according to Mr. V.S. Bisaria, CW-17, Head of the Chemistry Division, CFSL and working as Senior Scientific Officer, Grade-I, the Thinners are Methanol based also but not necessarily the substances used as Thinners should contain Methanol and that Methanol based Thinners are usually colourless but commercially other Thinners in the coloured form are also available, and that the Methyl Alcohal in the Thinner can lead to Methyl Alcohal poisoning and the symptoms such as drowsiness, nauses, vomiting, vertigo, headache, sometimes spigastric pain, and visual defects, frequently suceeded by blindness.

Then another added fact is the statement of Ruder Bahadur a worker of Karnal Pharmecy, Ghaziabad recorded under S.164 Cr. P.C. which talks of the bringing of 5 drums of 'polish thinner' by Ajay Sharma Supervisor of this pharmacy on 2-11-91 to the premises of Karnal Pharmacy which he (Ruder Bahadur) and others carried inside the factory and then the proparation of Asav by utilising the same in the presence of all the four alleged partners of this pharmacy despite protest by Ruder Bahadur to them that the product was not good but they telling him to pack the material as it was Diwali season and that all the four of them took away the prepared Asav to Delhi.

Then there is vedio cassette recording by Mrs. Nutan Manmohan, CW-19 tapes of which are Exhb. CW 19/3 and CW 19/4, 21/1, 2 & 3 and the same have been proved in the statement of CW 21 Shashikant an employee of Living Media (India). The vedio casstte Exhb. CW 19/2 and its transcript Exhb. CW 19/1 have been proved in the statement of Mrs. Nutan Manmohan CW 19. Exhb. 19/2 is the edited interview of Amrish Bhatnagar, Ajay Sharma, Rajiv Sapra, Naresh Bhardwaj and a few others in the premises of the sub-office of Crime Branch, Delhi. Mrs. Nutan Manmohan is a journalist and an employee of Living Media (India). The master cassettes were played and shown in the office of Living Media (India) in my presence as also in the presence of some counsels representing Delhi Police and all the alleged partners of Karnal Pharmacy. In the said cassette interview Ajay Sharma admits having brought rectified spirit from Naresh Goel who, 'however', gave Thinner. He further admitted that the shine of the preparation at Karnal Pharmacy was less and he told this to Amrish Bhatnagar and Naresh Bhardwaj who were present there and they also checked the smell but told him to pack this batch for Delhi, though Naresh Bhardwaj denied this while Amrish Bhatnagar told that he did not visit Karnal Pharmacy. Amrish Bhatnagar stated during this cassette interview that Ajay Sharma had brought something but did not know from where and how he made and supplied it as he (Amrish Bhatnagar) was busy in personal matters and was unable to visit the factory. When asked as to who gave the money for purchasing Thinner Ajay Sharma replied that Amrish Bhatnagar gave him Rs. 12,500/- by further stating that it was not his factory and he was an employee and why would he put the said material on his own and how would he invest his own money in this factory, but Amrish Bhatnagar maintained that he gave no money to Ajay Sharma. The matter of any police pressure on these persons vitiating their statements during the cassette recorded interview would be discussed in this report at a later stage.

In the fact of the above discussion the various suggestions made to the witnesses in their cross examination that the lables on the seized quarters of 'Karpoor Asav' bearing the name of the manufacturer Karnal Pharmacy and batch No. 114 could be get printed at Delhi by any other person including petty boot leggers except

Karnal Pharmacy, Ghaziabad or that the killer Sura was alsom anufactured locally at Delhi by some body also fictitiously except Karnal Pharmacy, Ghaziabad and that the seized quarter bottles were also filled and capped and sealed in Delhi but not by Karnal Pharmacy and that there could be similar bottling machines as the one found installed in the premises of Karnal Pharmacy, Ghaziabad as also that the manufacturers of capping machine found installed in Karnal Pharmacy, Ghaziabad produced and manufactured similar machines with the same dye or that Delhi Police has involved Karnal Pharmacy, Ghaziabad in order to shield the important departments viz. Drug and Excise Departments of Delhi Administration as well as Delhi Police and the like recede into insignificance. Mr. R. Tiwari conceded that there could be similar bottling machines as the one found installed in the premises of Karnal Pharmacy, Ghaziabad and that it may be that the manufacturers of capping machine found installed in Karnal Pharmacy produced and manufactured similar machines with the same dye but added that every machine assumed peculiar character and left specific distinct mark on the caps which become individual characteristics of one particular machine.

Thus M/s Karnal Pharmacy at V. Manota, Muradnagar, Distt. Ghaziabad, U.P. is held responsible for the manufacture, preparation, bottling, sealing and supply of the killer Sura to various chemists/druggists and Sura venders in Delhi.

The learned counsel for Naresh Bhardwaj and Raiiv Sapra contended that these two persons as also Satpal Sethi represented by another Advocate Mr. Sunil Ahuja, had ceased to be partners of Karnal Pharmacy at Loni with effect from 15-1-90 whereafter Amrish Bhatnagar alone became the sole Proprietor of Karnal Parmacy at village Manota, Ghaziabad after this firm at Loni had wound up its business and then shifted to Village Manota. In as muchas the record from Sales Tax Department Ghaziabad contains some applications signed and addressed by Amrish Bhatnagar to the Sales Tax Department showing Amrish Bhatnagar as sole Proprietor of Karnal Pharmacy at Village Manota, Ghaziabad. Mr. Sunil Ahuja, Advocate for Satpal Sethi, after the conclusion of arguments by Mr. P.P. Grover, counsel for Naresh Bhardwaj and Rajiv Sapra, adopted all the arguments of Mr. Grover for his own client Satpal Sethi as well.

There is no dispute by anyone that all these four persons viz. 1.) Amrish Bhatnagar 2.) Naresh Bhardwaj 3.) Rajiv Sapra and 4.) Satpal Sethi entered into a partnership amongst themselves in respect of Karnal Pharmacy at Loni Road, Indira Enclave, Ghaziabad and the same was evidenced by a partnership deed dated 22-4-85, registered on 2-5-85, and the photocopy of this document is Annexure-F of the affidavit No. 51 deposed to by Mr. R. Tiwari PW-51 then Deputy Commissioner of Police, Crime & Railways, Delhi and the perusal thereof shows that it was to be a partnership at will and all the above mentioned four partners had equal shares in the profits and losses of the same,

I shall now proceed to examine the various applications made by all the four partners jointly or by Naresh Bhardwaj and Amrish Bhatnagar separately.

Ex. DW 58/4 is an application by all the four partners, duly signed by them, for M/s Karnal Parmacy, 9-A, Indira Enclave Johnpur Road, *Loni*, Ghaziabad addressed to the Sales Tax Officer, Sector-VI, Ghaziabad with subject "Closure of business", whereby it was informed that the said business had been closed with effect from 15-1-90 due to disputes and mis-understanding among the partners. This application further shows that registration number and Central Registration Certificate were being enclosed with this application for cancellation. This application was further meant for information and necessary action on the part of the addressee, Sales Tax Officer, Ghaziabad. It looks immaterial that the aforesaid enclosures of this application such as registration number and registration certificate are not available.

Ex. DW-58/3 dated 14-2-90 is the application by Naresh Kumar partner, to Sales Tax Officer-VI, Ghaziabad regarding M/s Karnal Pharmacy, 9-A, Indira Enclave, *Loni*, Ghaziabad. In this letter at the top there is mention of Receipt No. 2263 dated 15-2-90. This letter talks of the earlier letter Ex. DW-58/4 received in Sales Tax Office vide endorsement No. 2237 dated 12-2-90 as also about the firm having been wound up and closed since 15-1-90 and further mentions that Central Registration No. which could not be submitted with the earlier application was being submitted with this application whereas the other document Form 15 had been misplaced and effort was being made to search out the same and would be submitted if it was traced out. It would be seen at the top in the earlier application Ex. DW-58/4 that it was received in the Sales Tax Office vide endorsement No. 2237 dated 12-2-90. Eventhough Ex. DW-58/4 does not bear any date, it would be presumed to have been sent a day or two before 12-2-90, if it was sent by post or if it was hand-delivered, it must have been delivered on 12-2-90. These facts show the authenticity of the earlier application Ex. DW-58/4. In Ex. DW-58/3 also it is stated that the above mentioned firm has been wound up and its business had been closed since 15-1-90.

Ex. DW-59/1 is an application which is undated but there are orders thereon dated 15-6-90 including issuance of provisional registration number. On the third page thereof there is a mention of affidevit dated 15-6-90. So it can be presumed that this application was made on 15-6-90 or a day or two earlier. It was made by Amrish Bhatnagar alone to Sales Tax Officer, Ghaziabad and it also embosses on its first page the photograph of Amrish Bhatnagar. In this application on page 4 Amrish Bhatnagar has described himself as sole proprietor of M/s Karnal Pharmacy, village *Manota*, Delhi-Meerut Road, Ghaziabad. On the first page of this application there is writing marked 'Z' encircled red whereby bank gaurantee of Allahbad Bank, Navyug Market,

Ghaziabad in the sum of Rs. 15,000/- has been mentioned as having been furnished. The next application made by Amrish Bhatnagar as "Proprietor M/s Karnal Pharmacy" to the Sales Tax Officer, Modi Nagar, Distt. Ghaziabad in the matter of M/s Karnal Pharmacy, village *Manota*, Delhi-Meerut Road, Modi Nagar, Ghaziabad in Ex. DW-59/2 dated 1-10-90. In this letter mention is made regarding provisional Sales Tax Registration number having been granted which was to expire on 30-9-90. This document also mentions the start of production of this firm since 20-9-90 and also about the start of sale. Regularisation of Sales Tax number is prayed for in this application.

The cross-examination of DW-58 Virender Singh, Sales Tax Officer, Ghaziabad by Mr. Ahluwalia, Counsel for Delhi Police shows that he and one other Sales Tax Officer Mr. S. Upadhyay went to Karnal Pharmacy Indira Enclave, Loni on 15-10-91 for verification of the contents of the Ex. DW-58/4 and at that time they found the said Pharmacy lying closed down with noone present there and on enquiry from 2-3 labourers they were told that it was lying closed for about 1½ year.

Then there are certain documents of Allahbad Bank, Navyug Market, Ghaziabad on which also Mr. Grover realised for showing Amrish Bhatnagar as the sole Proprietor of this Pharmacy at Village Manota. Ex-DW-61/1 is the bank account of this Pharmacy with the said bank starting from 22-6-90 and ending with 23-3-92. The testimony of DW-61 A.K. Bansal, Asstt. Manager, Allahbad Bank, Navyug Market, Ghaziabad shows that the account of this Pharmacy is operated in this bank and its Proprietor is Amrish Bhatnagar as entered in his bank record and that Amrish Bhatnagar alone operates that account. He proved the aforesaid bank account Ex. DW-61/1. His statement further shows that this bank furnished a bank guarantee in the sum of Rs. 15000/- at the instance of Amrish Bhatnagar in the Office of the Sales Tax Officer, Ghaziabad and further that Amrish Bhatnagar also executed an Indemnity Bond as Proprietor of the said Karnal Pharmacy in favour of this bank in respect of the said guarantee. He proved the photocopies Ex. DW-61/2 and Ex. DW-61/3 which are respectively photocopies of the deed of guarantee and the Indemnity Bond. According to this witness both these documents are dated 26-6-90. The bank guarantee is to expire on 25-6-93. This guarantee is in favour of Sales Tax Officer, Modi Nagar, Distt. Ghaziabad. Amrish Bhatnagar has signed the aforesaid Indemnity Bond as "Proprietor" for Karnal Pharmacy.

One Rent Note dated 11-6-90 executed on a Stamp Paper of Rs. 10/- and one Rent Receipt dated 5-6-90 on the letter pad of Tincon India in the sum of Rs. 2500/-, were seized by means of a regular seizure which as also the Rent Note and Rent Receipt have been filed alongwith the affidavit of Mr. R. Tiwari, then D.C.P. Crime, Delhi. And the purusal of these documents shows that the same were executed by

Amrish Bhatnagar as tenant of one Santosh Kumar Goyal in respect of the premises of Karnal Pharmacy, Ghaziabad from the owner thereof Santosh Kumar Goyal partner of M/s Tincon (India), Muradnagar, as 'Proprietor' of M/s Karnal Pharmacy.

Then there are two documents marked 'X' dated 16-6-90 and marked 'Y' (undated), purporting to be signed by Amrish Bhatnagar as 'Proprietor' for Karnal Pharmacy. Mark 'X' bears his signatures in English while mark 'Y' bears his signatures in Devnagari. The document marked 'X' is Form 24-D whereas the document marked 'Y' is an application to Zonal Ayurvedic & Unani Officer, Ghaziabad (U. P.) and is for the change of premises of Karnal Pharmacy, Village Manota, Muradnagar, Ghaziabad to another place for reason of shortage of accommodation. The signatures of Amrish Bhatnagar on these two documents appear in between the stamp.

"For Karnal Pharmacy

Signature
(Applicant) Proprietor"

In his cross-examination Mr. R. Tiwari, by Mr. Grover, Counsel for Naresh Bhardwaj and Rajiv Sapra, did not know whose signatures appeared under the said stamp on these two papers. L. K. Tripathi PW-52, in his cross-examination by Mr. Jitender Sethi, Counsel for Naresh Bhardwaj and Rajiv Sapra, stated these two documents having been shown to him from one file by Mr. Jitender Sethi, purporting to be maintained in the office of Karnal Pharmacy but he had never seen the same before nor any papers contained in that file. He had not seen Amrish Bhatnagar signing any paper of this file. He could not be definite or precise about the signatures of Amrish Bhatnagar on those two papers though he could see the resemblance of those signatures with the signatures of Amrish Bhatnagar. The statement of Amrish Bhatnagar was recorded by the Commission as CW-22 as a witness of the Commission in question and answer form, wherein he was shown both the documents marked 'X' and 'Y' and he then stated that these two documents bore his signatures as also stamp "For Karnal Pharmacy" but added that the word 'Proprietor' under the said stamp was not there when he signed this letter and put the stamp. He then also stated that in that file there were a number of other papers which all bore his signatures with the stamp of Karnal Pharmacy as partner but after his arrest he was not aware what happened to that file and who took it away and so also the papers which he had signed as partner of this Pharmacy.

An affidavit marked 'Z' dated 10-2-92 is on Judicial paper but not on a stamp paper, purporting to be deposed to by Rudra Bahadur, Chowkidar of Karnal Pharmacy at Village Manota, Ghaziabad resiling from his statement recorded u/s 164 Cr. P.C.

On the other hand there are certain documents and circumstances which go to support the assertion that all the above mentioned four persons have remained uptill today the partners of Karnal Pharmacy, Ghaziabad not only when this Pharmacy was situated in Indira Enclave, Loni, Ghaziabad but also of Karnal Pharmacy at Village Manota, Ghaziabad, even after the execution of the aforesaid applications/letters and bank documents pertaining to the Sales Tax Department, Ghaziabad and that even uptill now they continue to be the partners therof.

Looking to the statement of PW-52 L.K. Tripathi, Excise Inspector attached to Excise Commissioner's Office, Excise Headquarters at Allahbad who was earlier posted as Excise Inspector Incharge of Circle-II (also called Modi Nagar Circle) in the District of Ghaziabad from 6-8-91 to 21-11-91 within whose jurisdiction M/s Karnal Pharmacy, Village Manota, Murad Nagar, Ghaziabad was situated, in his cross-examination by the Counsel for Naresh Bhardwaj and Rajiv Sapra, there is a letter dated 19-9-91 in the record maintained at his office and which was seized by the Crime Branch, Delhi, from M/s Karnal Pharmacy addressed to the Excise Officer, Sector-II Ghaziabad, subject "Indent for alcohol", and the same is signed by Amrish Bhatnagar as 'partner' for "M/s Karnal Pharmacy". This letter had wrongly mentioned Indent No. 5 and so another application on the same day was made by Amrish Bhatnagar under his signatures as 'Licencee' showing therein correct "Indent No. 1". These two letters did not bear any stamp/seal of Karnal Pharmacy and the photocopies of these two letters are Ex. PW-52/x^3 and Ex. PW-52/x^4. The cross-examination of L.K. Tripathi further shows two more letters from that very record referred to above dated 22-4-91 and 22-9-90 addressed inside by Amrish Bhatnagar as 'Partner' of M/s Karnal Pharmacy and on behalf of Karnal Pharmacy to District Excise Officer, Ghaziabad and Excise Inspector Sector-II, Ghaziabad respectively. The letter dated 22-4-91 is meant for the renewal of L-2 licence for the year 1991-92 whereas the other letter dated 22-9-90 is for indent for alcohol. These letters also do not bear any seal or stamp of Karnal Pharmacy.

Then there is another very important letter dated 19-4-91 Ex. PW-51/C1 from Amrish Bhatnagar as partner of Karnal Pharmacy, Delhi-Meerut Road, Ghaziabad to Excise Inspector Sector-II Ghaziabad wherein all the four persons viz. Naresh Bhardwaj, Rajiv Sapra, Amrish Bhatnagar and Satpal Sethi have been mentioned as Partners of Karnal Pharmacy with the added recital that since there has been no change in these partners nor any addition to them. When Mr. R. Tiwari was in the

witness box as PW-51 he was asked certain questions by the Commission itself and his replies thereof are reproduced below :

> "On seeing the challan of case No. 394 requisitioned from the court I find an Excise file of Gaziabad, U.P. and therein on page No. 18 thereof is a letter dated 15-4-91 from Asstt. Excise Officer, Ghaziabad to Excise Inspector, Ghaziabad wherein it was enquired as to who were the partners of Karnal Pharmacy, Ghaziabad and in whose names the licence had been issued. On page 19 of the said file there is a letter dated 19-4-91 from Amrish Bhatnagar "Partner for Karnal Pharmacy" wherein the names of Naresh Bhardwaj, Rajiv Sapra, Amrish Bhatnagar and Satpal Sethi have been mentioned as the partners of the said Pharmacy and that there was no change therein nor any increase therein. Photocopy of this letter dated 19-4-91 of Amrish Bhatnagar partner for Karnal Pharmacy is Ex. PW-51/C1". The purusal of para No. 1 of this letter Ex. PW-51/C1 show that information had been sought in respect of Karnal Pharmacy touching the year 1988 as per letter No. 11/10 dated 15-4-91 addressed to Excise Inspector, Sector-II, Ghaziabad from District Excise Officer, Ghaziabad. While giving the required information, the letter PW-51/C1 has mentioned the continuance of the above mentioned 4 partners in Karnal Pharmacy, Murad Nagar, Ghaziabad and their continuance as partners therein since then and there being no change in those partners nor any increase in them. So according to this letter that was the position of Karnal Pharmacy at Village Manota, Murad Nagar, Ghaziabad even on 19-4-91. This letter was put to Amrish Bhatnagar CW-22 by the Commission when he was examined as witness for the Commission and in reply he has stated that he has seen this letter and it is his and bears his signatures and its contents are correct and this letter was written by him on 19-4-91.

In his cross-examination PW-52 L. K. Tripathi by Mr. R.K. Kaushik for Amrish Bhatnagar stated that in his record Karnal Pharmacy has been shown only a partnership firm and not as a sole Proprietorship concern. He conceeded that almost all papers submitted to Excise Department by Karnal Pharmacy were signed by Amrish Bhatnagar. He also stated that on 7-10-91 he met in Karnal Pharmacy Naresh and Amrish and that he never met any other partner of this Pharmacy. He added that during his tenure of 9 years as Excise Inspector in Excise Department, U.P. he found that correspondence on behalf of firm with Excise Department had normally been under the signatures of only one partner.

Statement of Rudra Bahadur, a worker in M/s Karnal Pharmacy, Village Manota, Ghaziabad was recorded u/s 164 Cr. P.C. on 16-11-91 in the court of Shri R.K. Jain, Metropolitan Magistrate, Delhi wherein he stated all these four persons as the owners of Karnal Pharmacy and Ajay Sharma alias Pappu as Supervisor thereof. This

statement of Rudra Bahadur makes mention of the presence of Naresh Bhardwaj and Amrish Bhatnagar 5-6 days before festival of Diwali in the year 1991, and then on the next day mentions that Ajay Sharma called all the 4 owners who insisted that the mixture prepared should be packed because it was Diwali season, eventhough he protested with the owners that the material was not fit as he felt a strange sensation on his tongue when he dipped his finger in the mixture and touched his tongue with that finger.

While deciding the crucial point as to whether as on 5-11-91 (the Diwali day) Karnal Pharmacy (at Village Manota, Murad Nagar, Delhi-Meerut Road, Ghaziabad) was a partnership firm comprising Amrish Bhatnagar, Naresh Bhardwaj, Rajiv Sapra and Satpal Sethi as its partners or it had ceased to be a partnership firm in January/ February, 1990 or it was a sole proprietorship concern only of Amish Bhatnagar with which the remaining three persons had no concern whatever as asserted on their behalf by their counsel. In the face of the two sets of documents pointing out two contradictory positions it was considered desirable and even necessary by the Commission to record the statement of Amrish Bhatnagar as witness of the Commission in order to clarify the position in respect of the constitution of this pharmacy and consequently a statement was recorded by the Commission in question and answer form on 20-7-92 as CW-2 when he appeared before the Commission alongwith his counsel and his counsel was to address arguments before the Commission in respect of his defence and that statement of his shows that even on 5-11-91 M/s Karnal Pharmacy, Ghaziabad was a partnership firm having the following four partners :—

1. Amrish Bhatnagar
2. Naresh Bhardwaj
3. Rajiv Sapra
4. Satpal Sethi

His statement further shows that this firm always remained a partnership firm and never ceased as such and never became a proprietory concern at any point of time. His statement further shows that his description as 'Partner' in the aforesaid letters was correct while his description as 'Proprietor' on others was incorrect. In reply to the question about the above mentioned applications made in the Sales Tax Department, Ghaziabad wherein he was shown as 'Proprietor' or 'sole Proprietor' of M/s Karnal Pharmacy with reference to Ex. DW-59/1 and Ex. DW-59/2, as also another application Ex. DW-58/4 made by all the 4 partners intimating the closure of the business and winding up of M/s Karnal Pharmacy, Indira Enclave, Loni, Ghaziabad and also for the cancellation of U.P. registration number and central registration certificate, his statement shows that business of Karnal Pharmacy at Loni was wound up but no differences or disputes had arisen amongst the partners nor did he become the sole proprietor of M/s Karnal Pharmacy at Village Manota, Ghaziabad and that the wrong

things of disputes and differences and his being 'sole Proprietor' had been brought into the picture solely with the purpose of avoiding the liabilities of the other 3 partners viz. Naresh Bhardwaj, Rajiv Sapra and Satpal Sethi who were also partners in another Pharmacy known as Chetak Ayurvedic Pharmacy, Bhiwadi, Distt. Alwar, Rajasthan alongwith the one Om Prakash Aggarwal, which liabilities could be recovered not only from their shares of profit or capital in Chetak Pharmacy but also from their shares of profit and capital from M/s Karnal Pharmacy, Ghaziabad, and in order to avoid that risk on their shares in profits and capital in M/s Karnal Pharmacy, Ghaziabad, the aforesaid manouvering was done whereby he was shown as 'sole Proprietor' of M/s Karnal Pharmacy, Ghaziabad in the Sales Tax Department by means of making the above mentioned applications and by stating that dispute and differences had arisen amongst the partners. When shown the Indemnity Bond executed by him as 'Proprietor' of Karnal Pharmacy, Ghaziabad on 26-6-90 in favour of the Manager, Allahabad Bank, Navyug Market, Ghaziabad in reference to the guarantee of Rs. 15,000/- furnished by the said bank to the Sales Tax Officer, Modi Nagar, Distt. Ghaziabad he replied that he mentioned himself as Proprietor on the Indemnity Bond for the same reason for which he did so in the Sales Tax Department. As a matter of fact this Indemnity Bond was furnished to the bank in connection with the deed of guarantee of Rs. 15,000/- which was furnished by this bank to the Sales Tax Department as required by the department and thus the Indemnity Bond is also a document executed in connection with the applications made in that department.

Amrish Bhatnagar also stated in his aforesaid statement as CW-22 that he did not give any information in writing to the Drugs or Excise Department, U.P. including Ghaziabad or Lucknow regarding the change in the constitution of this Pharmacy at any point of time uptill now that Karnal Pharmacy, Ghaziabad had ceased to be a partnership firm or that it was dissolved or that he himself had become the 'Proprietor' thereof. He further added that in fact, in order to avoid any liability/responsibility towards these departments, it was the duty of these 3 partners viz. Naresh Bhardwaj, Rajiv Sapra and Satpal Sethi to have informed these departments that the partnership had been dissolved and more so when no formal deed of dissolution had been executed amongst them nor any settlement of accounts had been done.

In his cross-examination by Mr. P.P. Grover, counsel for Naresh Bhardwaj and Rajiv Sapra, Amrish Bhatnagar identified the signatures of Om Prakash Aggarwal partner of Chetak Pharmacy on the two documents pertaining to Chetak Pharmacy viz. 1.) Dissolution deed dated 15-2-91 and 2.) Indemnity Bond dated 15-2-91, photocopies of which are Ex. CW-22/x/1 & 22/x/2 and on going through the same he learnt that the same were Dissolution Deed and the Indemnity Bond respectively. Mr. Grover contended that the plea taken by Amrish Bhatnagar that he had been shown as sole Proprietor of Karnal Pharmacy at Village Manota, Ghazibad in the Sales Tax

Department, at the instance of the 3 other partners in order to save them from any liabilities against them in Chetak Pharmacy and which liabilities could also fall upon their shares of profits and capital in Karnal Pharmacy at Village Manota, Ghaziabad, was thus defeated. It is not understanable as to how the aforesaid two documents Ex. DW-22/x/1 and DW-22/x/2 can frustrate the aforesaid plea of Amrish Bhatnagar, as this Dissolution deed had not come into existence before the filing of applications by Amrish Bhatnagar and his 3 companions in the Sales Tax Department, Ghaziabad showing Amrish Bhatnagar as the Proprietor of Karnal Pharmacy, Village Manota, Ghaziabad, and in fact the applications in the Sales Tax Department had been made by Amrish Bhatnagar and his companions earlier in Feb., 1990. In this context the emphasis of Mr. Grover on the Dessolution deed of Chetak Pharmacy regarding Om Prakash Aggarwal taking upon himself the entire burden of liabilities upon himself and exonerating the other partners thereof viz. Naresh Bhardwaj, Rajiv Sapra and Satpal Sethi from the same, loses ground, and in the context the report Ex. DW-59/x2 dated 23-11-91 of Mr. Upadhyay assumes importance when it talks of the activities of Karnal Pharmacy, Ghaziabad in Sales Tax as somewhat hanky-panky. Even after the date of dissolution i.e. 15-2-91 of Chetak Pharmacy, and not withstanding the fact that Om Prakash Aggarwal, one of the partners of that Pharmacy had undertaken upon himself all the liabilities of and demands over the said Pharmacy and exonerating other partners in respect of the same, the same could not hit the plea of Amrish Bhatnagar inasmuch as a creditor of Chetak Pharmacy could file a suit for the recovery of his loan or debt incurred by that firm during its continuance as such against all the partners and could recover the decretal amount from anyone of them to the exclusion of any other partner, and the partners exonerated from the liabilities of or demands on that Pharmacy by virtue of the aforesaid dissolution deed would not be able to take the plea that all liabilities had been taken by Om Prakash Aggarwal, and that they stood thereby exonerating from the same. On recovery of the decretal amount by the creditor from any partner, that partner would simply be entitled to recover that amount from Om Prakash Aggarwal by way of reimbursement, by filing a suit or otherwise, and the principle involved in this view is that the Dissolution deed of a partnership firm is only an internal arrangement amongst the partners, while creditors were no parties or signatories to the Dissolution deed. Thus these two documents viz. the Dissolution deed Ex. DW-22/x1 and the ancillary Indemnity Bond of the same date of Om Prakash Aggarwal in favour of Rajiv Sapra, pertaining to Chetak Pharmacy are of no avail to Naresh Bhardwaj, Rajiv Sapra and Satpal Sethi, for frustrating and dismantling the aforesaid plea of Amrish Bhatnagar as to under what circumstances he was induced and persuaded to show himself as sole Proprietor of M/s Karnal Pharmacy, Village Manota, Ghaziabad in the Sales Tax Department, Ghaziabad, as also in the Allahabad Bank documents referred to above which were necessarily connected with the said Sales Tax Department.

Amrish Bhatnagar had stated as CW-22 that he had delivered the letter Ex. PW-51/C1 dated 19-4-91, already referred to above, and addressed to Excise Inspector, Circle-II, Ghaziabad, as his and hearing his signatures and its contents correct, on 19-4-91 itself. Mr. Grover, during his cross-examination, tried to show and actually showed Amrish Bhatnagar the date "30/3" and signature immediately thereon and encircled red on the said letter Ex. PW-51/C1, without letting him see his signatures with the date thereunder on the said letter, but Amrsih Bhatnagar replied that he did not recall what this date signified and further that the said encircled writing in red was not in his hand nor the said date. He further stated that he had delivered the original of this letter at the office of the Exise Inspector, Ghaziabad, which did receive the same by making endorsement on a copy and after that he had prepared a carbon copy of the said application and that must be in the office file of Karnal Pharmacy but he did not know where it was. He did not know where it was probably for reason that after his arrest he did not know what happened to the files in the office of Karnal Pharmacy as he has given the same reply in another context. The date "30/3" on the said application Ex. PW-51/C1 dated 19-4-91 by Amrish Bhatnagar showing thereunder the names of all the 4 partners, appears immediately under the signatures of Mr. Amrit Pal Ahluwalia, and was put by him below his signatures and he is the counsel for Delhi Police before the Commission and probably he put his signatures with date on the said application authenticating thereby the correctness of the contents of the photocopy which was exhibited as PW-51/C1. Amrish Bhatnagar denied the suggestion as wrong that the original of this application was not available and in order to save his skin he had given this writing ante-dating the same in collusion with L.K. Tripathi, Excise Inspector, Ghaziabad who was favouring him. He also denied the suggestion as incorrect that he was sole Proprietor of M/s Karnal Pharmacy, at Village Manota and was wrongly calling the three others as partners therein alongwith him in order to falsely shift the burden. It has already been seen above in the statement of Mr. R. Tiwari, then DCP Crime, Delhi that this photocopy Ex. PW-51/C1 was in the Ghaziabad Excise file pertaining to Karnal Pharmacy, Ghaziabad and which file was seized by the Crime Branch Investigating Team from the office-cum-residence of L.K. Tripathi at Ghaziabad almost immediately when the tragedycame to be known, and the genuineness of its contents can not be doubted, as the same were recorded at the time when there was no controversy on this point.

If a person happens to be the sole Proprietor, he would not like to falsely associate strangers with him as partners because that would diminish his sole Proprietorship or ownership and that would be something against his own pecuniary interest and in this view of the matter if after showing himself as sole Proprietor in the Sales Tax Department, Amrish Bhatnagar has been making applications to the Excise Department, Ghaziabad, showing himself as partner of the said firm and had also named all the 4 of

them as partners in his letter Ex. PW-51/C1 dated 19-4-91, that was something against his own pecuniary interest cutting short his sole proprietorship down to being a partner in the said Pharmacy which a man of ordinary prudence would not do. If he was really the sole Proprietor, where was the fun of his mentioning himself as a partner in his applications/letters to Excise Department, Ghaziabad, and this deviation on his part from the description of sole proprietorship in Sales Tax Department looks quite relevant to indicate the truth that Karnal Pharmacy at Village Manota, Ghaziabad continued as a partnership firm and the applications made to the Sales Tax Department showing Amrish Bhatnagar as sole Proprietor did not represent the true character/ constitution of the said Pharmacy. Another very important factor in favour of the continuance of the partnership dated 22-4-85 registered with the Registrar of Firms, Ghaziabad, is that neither Amrish Bhatnagar nor anyone of his remaining 3 companions cared to intimate in writing or otherwise to the Drug Department and Excise Department, Ghaziabad or their Head Offices regarding the dissolution of their partnership firm Karnal Pharmacy, Loni, Ghaziabad, even though these two departments were of very vital importance for this Pharmacy manufacturing ayurvedic medicines for which the basic licence had been acquired from the Drug Department (U.P.) on the basis of which Excise Department was issuing L-2 licences year after year on the basis of which this Pharmacy was to obtain from the Excise Distillery the quota of rectified spirit which was to the tune of 4000 litres per annum or 1000 litres quarterly as rectified spirit was the basic ingredient for the preparation of the various ayurvedic drugs manufactured by this Pharmacy. Annexure-C of affidavit No. 51 of Mr. R. Tiwari, then DCP Crime, Delhi is the basic licence granted by the Drugs Department, U.P. to Karnal Pharmacy, Village Manota, Murad Nagar, Ghazibad (U.P.) to manufacture ayurvedic medicines including 'Karpurasavas' for the period from 25-12-85 to 31-12-86 which was renewable year after year and the licence No. is A-1160/1985, and this licence specifies certain conditions to be fulfilled by the licencee, and condition No. 4 mandates that the licencee shall inform the Licencing Authority in writing in the event of any change in the constitution of the firm operating under the licence, and where any change in the constitution of the firm takes place, the current licence shall be deemed to be valid for the maximum period of 3 months after the date of which the change takes place. So this information in writing was of great significance as otherwise the aforesaid licence would have come to an end after a maximum period of 3 months from the date of alleged dissolution of Karnal Pharmacy, Loni, Ghaziabad in February, 1990, and the non-communication of such an information on the part of Amrish Bhatnagar or any of his 3 companions would be an indicator that there was in fact no dissolution of the firm, Form 25-D set out in schedule 'A' of the Drugs Act also enumerates conditions of licence to manufacture or sale of ayurvedic drugs and condition No. 4 is the same as stated above, and the aforesaid Form-25-D has been prescribed under Rule 154 of Drugs and Cosmetics Rules, 1945 framed under the Drugs Act.

An added omission on the part of Amrish Bhatnagar and his 3 companions is in respect of executing a deed of dissolution dissolving the partnership dated 22-4-85 registered with the Registrar of Firms, Ghaziabad. Section 63 of the Indian partnership Act, 1932 speaks regarding all changes in and dissolution of a firm and it reads as follows :—

(1) When a change occurs in the constitution of a registered firm, any incoming, continuing or outgoing partner, and when a registered firm is dissolved any person who was a partner immediately before the dissolution, or the agent of any such partner or person specially authorised in this behalf, may give notice to the Registrar of such change or dissolution, specifying the date of thereof and the Registrar shall make a record of the notice in the entry relating to the firm in the Registrar of Firms, and shall file the notice alongwith the statement relating to the firm filed under section 59.

(2) "....."

Nothing of the sort suggested in the aforesaid provision of law in regard to dissolution of the registered firm M/s Karnal Pharmacy was done by any of the 4 partners.

Affidavit of Rudra Bahadur, worker in M/s Karnal Pharmacy, Manota, Ghaziabad was filed by Naresh Bhardwaj and Rajiv Sapra in defence and therein Rudra Bahadur resiled from his statement recorded u/s 164 Cr. P.C., as already referred to above. This affidavit is not on stamp paper though it is on a judicial paper. Efforts were made to produce Rudra Bahadur before the Commission during defence evidence but his presence could not be procured, even though summons were given dasti to the counsel of Naresh Bhardwaj and Rajiv Sapra for having the same served through a special messenger of his own, and police could not assist in this matter inasmuch as according to them the summons had to go to Nepal through Nepal Embassy in India or through the Ministry of External Affairs, Government of India, and thus he could not be subjected to cross-examination by the counsel for Delhi Police, for which reason the contents of the said affidavit of Rudra Bahadur can not be read into evidence, as per settled law upon this point. Mr. Grover contended that the statement of Rudra Bahadur recorded u/s 164 Cr. P. C. should not be read by the Commission and should be taken off the record inasmuch as he has not been made available by the police whose witness he is in criminal cases pending in Delhi courts, and thus could not be subjected to cross-examination by him in view of his aforesaid resiling affidavit. This contention can not be accepted, as Rudra Bahadur was sought to be produced in defence by Mr. Grover but he could not be available for which reason his aforesaid affidavit remaining without cross-examination stands hit. Even otherwise taking into consideration that the aforesaid affidavit was deposed to by Rudra Bahadur

and comparing the same with his statement recorded u/s 164 Cr. P. C., the latter looks more reliable having been made before the Magistrate.

Annexure 'B' dated 19-11-91 of affidavit No. 1 of Dr. V.P. Varshney is the reply of Dr. Shiv Raj Singh, Director Ayurvedic & Unani Services, U.P., Lucknow to Annexure 'A' dated 12-11-91 a letter of Dr. Varshney wherein Dr. Varshney had made inquiry about the constitution of Karnal Pharmacy, Ghaziabad, Annexure 'B' talks of only 3 partners of this Pharmacy and the name of Rajiv Sapra is not mentioned therein as a partner while the remaining 3 persons viz. Amrish Bhatnagar, Naresh Bhardwaj and Satpal Sethi have been named there as partners and it is further stated therein that Naresh Bhardwaj and Satpal Sethi have given power of attorney to Amrish Bhatnagar probably who is looking after the business of this Pharmacy. Amrish Bhatnagar stated before the Commission in his statement as CW-22 that prior to the execution of the partnership deed dated 22-4-85 already referred to above there was another partnership deed executed prior to that in the middle of 1984 which had only 3 partners viz. Amrish Bhatnagar, Naresh Bhardwaj and Satpal Sethi while Rajiv Sapra was not a partner in that partnership, but that partnership of 1984 came to an end on the execution of the registered partnership deed dated 22-4-85. This looks a plausible answer to the above mentioned Annexure 'B' dated 19-11-91 of the affidavit of Dr. Varshney, and the contention of Mr. Grover that anyway Rajiv Sapra was not a partner in M/s Karnal Pharmacy, Ghaziabad, falls to the ground.

The statement of PW-114 Raghu Raj Singh Chauhan, Station Officer PS : Sector 20, Noida (Distt. Ghaziabad) is also relevant on the question of partnership. In his cross-examination he has stated that a written complaint was made to him by S. M. Ojha, Excise Inspector, Ghaziabad on the basis of which he recorded FIR No. 409/91 at PS : Murad Nagar where he was posted those days and it was in that complaint of S. M. Ojha that the names of all these 4 partners were mentioned as partners of Karnal Pharmacy, Ghaziabad. It is quite possible that Mr. Ojha might have received the information about these partners from the record maintained in the Excise Department at Ghaziabad already referred to above in the form of the letter dated 19-4-91 wherein Amrish Bhatnagar had given the names of all the 4 partners of this Pharmacy stating further that there was no change or increase therein. Mr. Ojha might have also received this information from the Excise record maintained at the Distillery at Simbholi, Distt. Ghaziabad wherein an authority letter has been given by Naresh Bhardwaj, Rajiv Sapra and Satpal Sethi in their capacity as partners of Karnal Pharmacy, Village Manota, Murad Nagar, Ghaziabad in favour of the fourth partner Amrish Bhatnagar to receive the quota of Rectified Spirit from the said Distillery and that authority letter is dated 5-10-91 just a month prior to Diwali of 1991 which fell on 5-11-91 and which piece of evidence shall be discussed in the following few pages in this report.

The cross-examination of Raghu Raj Singh Chauhan further shows that even before the filing of the aforesaid written complaint by Mr. Ojha, he was aware of the names of the above mentioned 4 partners of Karnal Pharmacy and that his source of knowledge was the Excise people and Ayuryedic people of Ghaziabad and it is probable that his source of knowledge may be wholly or partly the same as that of Mr. Ojha as reasonably presumed above.

Raghu Raj Singh Chauhan denied the suggestion as wrong that Rajiv Sapra was never a partner of M/s Karnal Pharmacy, Ghaziabad. Raghu Raj Singh Chauhan has further stated that to find out the partners of M/s Karnal Pharmacy, Ghaziabad he had constituted a team of his subordinate officers and he had also brought with him before the Commission his report dated 9-11-91 photo copy of which is Ex. PW-114/X1 and that he also sent the same to his S. S. P., Ghaziabad and that this report of his mentions the names of these very 4 partners of Karnal Pharmacy and he has specifically named them in his cross-examination also.

He has also stated in his cross-examination that he sent his aforesaid report to S.S.P., Ghaziabad as he had received wireless message on 8-11-91 from S.S.P., Ghaziabad wherein also these 4 names of the partners of Karnal Pharmacy, Ghaziabad had been given. He has proved photocopy of the aforesaid wireless message as Ex. PW-114/X2 as also the English translations Ex. PW-114/XT1 & 2 of his above mentioned report and the wireless message. He has further stated that his above mentioned report dated 9-11-1991 Ex. PW-114/X1 sent to S.S.P., Ghaziabad after receipt of the above mentioned wireless message, is the same report which he sent to S.S.P., Ghaziabad about his having gone to Karnal Pharmacy on the night of 6-11-1991 as also about the preparation of search memo Annexure-15 of his affidavit.

It was contended by Mr. Grover that in the firm M/s Karnal Pharmacy, Village Manota, Ghaziabad no work was done by Naresh Bhardwaj or Rajiv Sapra and they did not sign any application or any other letter to the Drugs and Excise Departmeats of U.P. whereas all the papers were signed only by Amrish Bhatnagar which were a pointer to the factum of his being the sole Proprietor of Karnal Pharmacy. It is not necessary that all the partners of the firm should work or sign papers. There is a very important document which, besides the documents and other factors already referred to above in favour of partnership, convincingly clinches the matter in favour of M/s Karnal Pharmacy, Village Manota, Murad Nagar, Ghaziabad being a partnership firm and Amrish Bhatnagar, Naresh Bhardwaj, Rajiv Sapra and Satpal Sethi all being the partners thereof and this document finds mention in para No. 6 of the affidavit DW-52 deposed to by Shri R.S. Prasad, Excise Inspector, Simbholi Distillery, Ghaziabad (U.P.) and this document is Annexure 'E' of this affidavit. According to para No. 6 of this

affidavit an authorty letter for Amrish Bhatnagar for lifting 400 A.L. Rectified Spirit was signed by Naresh Bhardwaj, Satpal Sethi and Rajiv Sapra, partners of Karnal Pharmacy. This ahtuority letter, certified copy of which is Annexure 'E' reads as follows :—

ANNEXURE 'E'

KARNAL PHARMACY

Mfg. Lic. No. A-1160 85
S.T.M.O. 0014600 Dt. 15-6-90
C.S.T.M.O. 5008649 Dt. 15-6-90

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34 K.M. Delhi Meerut Road
Village Manota, Murad Nagar
Ghaziabad (U.P.)

Ref. No.....

Dated 5-10-91

To Whomsoever it may concern

We, partners of M/s Karnal Pharmacy 1. Naresh Bhardwaj, 2. Satpal Sethi, 3. Rajiv Sapra hereby authorise Mr. Amrish Bhatnagar to collect Rectified Spirit on our behalf. His signatures are given below :—

1. Sd/-
(NARESH KUMAR)

Sd/-
(AMRISH BHATNAGAR)

2. Sd/-
(RAJIV SAPRA)

3. Sd/-
(SATPAL)

The perusal of this document unambiguously showed all these 4 partners of M/sKarnal Pharmacy, Village Manota, Murad Nagar, Ghaziabad even on 5-10-91 which is the date of this Annexure. This affidavit DW-52 was filed in defence by the State of U.P. including its Excise and Drugs Departments. The perusal of this affidavit shows the details in respect of 400 A.L. Rectified Spirit purchased by Karnal Pharmacy by complying with all the necessary and requisite procedure as also the deposit of a sum of Rs. 32,000/- by way of Excise Duty for lifting the aforesaid quantity of Rectified Spirit from Simbholi Distillery vide Treasury Challan ID-2 on 5-10-91 in the State Bank of

India, Ghaziabad (photo copy of Challan is Annexure 'B'). This affidavit also talks of the Indent in Form ID-I dated 19-9-91 for issuing 400 A.L. Rectified Spirit signed by Amrish Bhatnagar. This Indent finds mention earlier also in this report. This affidavit further shows that the aforesaid quantity of Rectified Spirit was received by Amrish Bhatnagar vide pass P.D. 25 No. 1030, 1573/91-92 for Karnal Pharmacy from the Officer Incharge Shri R.S. Kanchan of the Simbholi Distillery. There is thus left no manner of doubt regarding M/s Karnal Pharmacy, Ghaziabad having remained partnership firm throughout with all the above mentioned 4 partners therein.

Amrish Bhatnagar has stated that he was entrusted with the work of correspondence whereas Naresh Bhardwaj was Incharge of the sales and purchase of the ayurvedic drugs manufactured by this Pharmacy, though in the video cassette interview recorded by Mrs. Nutan Manmohan Ex. CW-19/2 (Abridged) (Transcript Ex. CW-19/1) Naresh Bhardwaj has stated that he never manufactured this medicine (Karpurasava) and that the owner did it and that his (Naresh Bhardwaj's) job was only to get the 'Sura' sold while Amrish Bhatnagar had described himself as Proprietor.

The master cassette comprises 4 tapes viz. Ex. CW-19/3 and Ex. CW-19/4, Ex. CW-21/1 and Ex. CW-21/3. Ex. CW-19/3 and Ex. CW-19/4 contain the interview of Amrish Bhatnagar, Naresh Bhardwaj and Rajiv Sapra whereas their companion Satpal Sethi does not at all figure therein. The remaining 3 tapes Ex. CW-21/1 to Ex. CW-21/3 contain the rest of the tapes relating to 'Sura' tragedy. These tapes stand proved in the testamony of Shashikant CW-21, employee Living Media (India) who stated that he had transferred the entire U-matics tapes to V.H.S. tapes and that the U-matics tapes were transferred to 5 V.H.S. tapes which were handed over to the Commission. Two tapes Ex. CW-19/3 and Ex. CW-19/4 have also been proved in the testamony of Mrs. Nutan Manmohan CW-19. In the master cassette Amrish Bhatnagar disclosed himself as Proprietor, while Naresh Bhardwaj had stated that he was not a partner in this Pharmacy since 15-1-90 and was only an agent for the sale of its products and not concerned with manufacturing in this Pharmacy. Rajiv Sapra had stated in the said interview in the master cassette that he was not a partner in Karnal Pharmacy, and that there was no Dissolution Deed and that he was simply getting a sum of Rs. 1500/- per month from Karnal Pharmacy. This was, however, denied and controverted by Amrish Bhatnagar in his statement as CW-22 who, on the other hand, stated that all the 4 of them used to receive equal shares in profits. The last mentioned reply by Rajiv Sapra regarding his receiving a sum of Rs. 1500/- per month was given by him after somebody else near the camera suggested him likewise. The statement of Mrs. Nutan Manmohan CW-19, in her cross-examination by Mr. Grover, stated that Mr. Mritunjay Kumar Jha, who was a part of her crew was standing by the camera and he said at that time to Rajiv Sapra that he was drawing per month a sum of Rs. 1500/- from Karnal Pharmacy even

then and this fact was admitted by Rajiv Sapra. The answers in video cassette interview by Amrish Bhatnagar, Naresh Bhardwaj and Rajiv Sapra fade into nothingness and they are all partners alongwith Satpal Sethi in M/s Karnal Pharmacy, Ghaziabad and that partnership starting from 22-4-85 has continued uninterrupted, even on 5-11-91, and has not come to an end even uptill now, in the face of the evidence referred to above supporting the continuance of the partnership.

In view of the above mentioned elaborate discussion I am of the view that Karnal Pharmacy, Ghaziabad (U. P.) was a registered partnership firm comprising 4 partners namely 1. Amrish Bhatnagar; 2. Naresh Bhardwaj; 3. Rajiv Sapra and 4. Satpal Sethi since 22-4-85 and continued as a partnership firm with these very 4 partners even on 5-11-91 and thereafter, and has never ceased as such and did not become the sole proprietory concern of Amrish Bhatnagar at any point of time, and consequently M/s Karnal Pharmacy, Village Manota, Murad Nagar, Ghaziabad (U. P.) alongwith its 4 partners are responsible for the manufacture and preparation of the adulterated brew in question under the guise of the ayurvedic drug know as 'Karpurasava'.

Now, I proceed to discuss the responsibility, if any, of Ajay Sharma who is alleged to be Manager/Supervisor of M/s Karnal Pharmacy, Village Manota, Murad Nagar, Ghaziabad at the relevant time. As already pointed out earlier in this report from the statement of Naresh Goyal of Murad Nagar recorded u/s 164 Cr. P.C. by Mr. R.K. Jain, Metropolitan Magistrate, Delhi in case FIR No. 304/91 dated 6-11-91, 5 drums of 'Polish Thinner' were purchased by Ajay Sharma from the said Naresh Goyal on 2-11-91 against payment of a cash amount of Rs. 11,000 in respect of which he issued a cash memo. Naresh Goyal is doing the business of paints and thinner at Murad Nagar under the name and style of Bharat Enterprises of which he is the sole proprietor. Statement of Rudra Bahadur dated 16-11-91, a worker in M/s Karnal Pharmacy recorded u/s 164 Cr. P.C. in the court of Shri R.K. Jain, Metropolitan Magistrate, Delhi in FIR No. 304/91 dated 6-11-91 has already been set out and reproduced in full in this report wherein he has stated that Ajay Sharma alias Pappu is Supervisor in this Pharmacy and there was no stock of 'Asav' 5/6 days before the festival of Diwali in 1991 and he overheard Ajay Sharma, Naresh Bhardwaj and Amrish Bhatnagar talking to each other that spirit was not available though it was season of Diwali and production of 'Asav' was necessary and that from where spirit should be arranged whereupon Ajay Sharma told other owners that he would arrange and next day around mid-day Ajay Sharma came to factory premises alongwith the 5 drums of thinner and he (Rudra Bahadur) with the help of other workers took the drums inside the factory and when the drums were opened they emitted foul smell and he informed Ajay Sharma that the goods were not in order but Ajay Sharma directed them to make 'Asav'. Rudra Bahadur further goes on to state that they mixed one drum of thinner with water and immediately white bubbles came out of that mixture and they refused

to pack that material. Ajay Sharma asked them to keep it covered, and on the next day Ajay Sharma called all the 4 owners of the factory and Naresh, one of the factory owners asked him (Rudra Bahadur) to taste the mixture which was left under cover on previous day, whereupon he (Rudra Bahadur) dipped his finger in the mixture and touched his tongue with that finger and felt a strange sensation on his tongue and again protested with the owners that the material was not fit but they insisted that it should be packed, because it was Diwali season. Rudra Bahadur further stated that they prepared 'Asav' from thinner for 2-3 days continuosly and paked it and all the 4 owners of the factory used to take away the finished bottles in a Matador and the entire stock was supplied by the owners. So from these two statements of Naresh Goyal and Rudra Bahadur the responsibility of Ajay Sharma in the purchase of 5 drums of thinner polish from the shop of Naresh Goyal in Muradnagar and the mixing and utilisation thereof in the preparation of 'Karpurasavs' in the factory premises of M/s Karnal Pharmacy, Ghaziabad despite the protests from Rudra Bahadur regrding the thinner not being good and the same emitting foul smell and mixture giving strange sensation on his tongue and the material not being fit, looks clearly obvious in the manufacture and preparation of the adulterated killer brew under the guise of ayurvedic medicine 'Karpurasava'.

The affidavit marked 'z' purporting to be of Rudra Bahadur and filed in defence by Naresh Bhardwaj and Rajiv Sapra as already pointed out above, is not on a stamp paper as required under the law and Rudra Bahadur could not be himself produced in defence for his cross-examination by Delhi Police and for that reason the said affidavit can not be read into evidence. Even comparing this affidavit on the one hand and the aforesaid statement of Rudra Bhadur recorded u/s 164 Cr.P.C., the latter looks true, giving as it does, so many details, in respect of the bringing of 'thinner polish' by Ajay Sharma as stated by Rudra Bahadur finds corroboration from the statement of Naresh Goyal recorded u/s 164 Cr. P. C. which according to him was evidenced by a cash memo against cash payment of Rs. 11000/-.

In the video cassette interview recorded by Mrs. Nutan Manmohan CW-19, Ajay Sharma admitted having brought Rectified Spirit from Naresh Goyal who, however, gave thinner. He further admitted that the shine of the preparation at Karnal Pharmacy premises was less and he told this to Amrish Bhatnagar and Naresh Bhardwaj who were present there and they also checked the smell but told him to pack this batch for Delhi, though Naresh Bhardwaj denied this while Amrish Bhatnagar stated that he did not visit Karnal Pharmacy. Amrish Bhatnagar further stated that Ajay Sharma had brought something but did not know from where and how he made and supplied it as he (Amrish Bhatnagar) was busy in personal matters and was unable to visit the factory. This cassette interview further shows that Ajay Sharma stated that why would he get it and that it was not his factory and that he was

only an employee and why would he put the said material on his own. When asked during the interview as to who gave him the money, Ajay Sharma replied that how would he invest his own money in this factory and on the other hand replied that he (meaning Amrish Bhatnagar) gave him Rs. 12,500/- but Amrish Bhatnagar even then maintained that he gave Ajay Sharma no money.

From the aforesaid video cassette interview it would not be difficult to hold that Ajay Sharma was an important employee in Karnal Pharmacy, Ghaziabad and had purchased 'thinner polish' from Naresh Goyal, as stated by Naresh Goyal in his statement recorded u/s 164 Cr. P.C. and that the money for the purchase of the same had been given to Ajay Sharma by Amrish Bhatnagar and that the said money was not spent by Ajay Sharma from his own pocket, inasmuch as Ajay Sharma was only an employee and could not be expected to spend so much of money from his own pocket to purchase 'thinner polish' from Naresh Goyal for this Pharmacy. Ajay Sharma appears to be wrong when he stated in this interview that he wanted to purchase Rectified Spirit from Naresh Goyal but Naresh Goyal, on the contrary, gave him 'thinner polish" inasmuch as it is in evidence before the Commission that Karnal Pharmacy, Ghaziabad was entitled to obtain and receive from the Distillery in Ghaziabad an yearly quota of Rectified Spirit to the tune of 4000 A.L. or 1000 A.L. quarterly, at their option and this Pharmacy had received only 426 Bulk Litres of Rectified Spirit from the said Distillery only in one quarter on 4-10-91, even though they could have obtained 1 000 A.L. in that quarter alone. When Karnal Pharmacy chose not to draw this quota of Rectified Spirit from the Government Distillery for the wholey ear and remained context to draw much less quantity thereof, they could not be expected to purchase from the open market Rectified Spirit but something other than that which could be much cheaper. In this view of the matter, Ajay Sharma must have purchased only 'thinner polish' from Naresh Goyal's shop, though at the instance of Amrish Bhatnagar and acquiesced in by the other 3 partners who, according to Rudra Bahadur, were present at the time of the preparation of 'Karpurasava'.

According to the plea and defence raised at the time of arguments by Mr. R.M. Tuffail, Advocate, counsel for Ajay Sharma was that Ajay Sharma had nothing to do with M/s Karnal Pharmacy, Ghaziabad and was no employee of theirs much less Manager/Supervisor, the same does not appear to be correct in view of the aforesaid evidence against Ajay Sharma and which evidence looks correct further for the reason that it could not be expected that be would be falsely involved and implicated by the Investigating Team of Delhi Police headed and guided by the Crime Branch, Delhi, if he had no connection whatever with this Pharmacy. It is impossible to think that the Investigators would search out of their own some innocent person and fit him in this story pertaining to M/s Karnal Pharmacy, Ghaziabad, by assigning him a part which he never bid and which is culpable in no small degree but which could cause the death

of a large number of persons and also disablements and sicknesses to many others. Amrish Bhatnagar CW-22, when examined as a witness of the Commission, also took the same plea that Ajay Sharma was no employee of Karnal Pharmacy, Ghaziabad but this plea of Amrish Bhatnagar also falls to the ground for the same reasons. Moreover, Amrish Bhatnagar is interested in taking this plea in regard to Ajay Sharma in his own self-interest, because if Ajay Sharma is held as no employee — Manager or Supervisor of Karnal Pharmacy, Ghaziabad, the part ascribed to him that he purchased and brought thinner and used the same in the premises of M/s Karnal Pharmacy, Ghaziabad in the preparation of the killer drug under the guise of 'Karpurasava' and that the price thereof was paid to him by Amrish Bhatnagar, would stand nowhere even against Amrish Bhatnagar.

Mr. Tuffail, learned counsel for Ajay Sharma contended that the aforesaid statement of Ajay Sharma during video cassette interview had been made by him under police pressure and was thus not voluntary, and being confessional in nature, was hit by S 26 of the Evidence Act. While framing the rules and regulations of procedure to be followed by this Commission in these proceedings, it was specifically made down that the Commission would not be bound by the technical or limiting provisions of the Evidence Act, and the rules of procedure have also been set out in this report. So the Commission is to see if the statement made by Ajay Sharma during video cassette interview by Mrs. Nutan Manmohan CW-19 was without any police pressure, inasmuch as the said interview had taken place in the Sub-office of the Crime Branch, Delhi which is contiguous to the building of Police Station, Ashok Vihar. Each one of Amrish Bhatnagar, Naresh Bhardwaj, Rajiv Sapra and Ajay Sharma had been brought out separately escorted by two Constables who left when they were interviewed. The case of Delhi Police was that Amrish Bhatnagar, Naresh Bhardwaj, Rajiv Sapra and Satpal Sethi were partners of Karnal Pharmacy, Village Manota, Murad Nagar, Ghaziabad (U.P.) at the relevant time, but during the video cassette interview none of Amrish Bhatnagar, Naresh Bhardwaj or Rajiv Sapra confessed that he was a partner in the said Pharmacy or that the said Pharmacy had prepared the killer 'Sura' in its premises 2-3 days prior to Diwali of 1991. They denied the guilt or even presence in the said Pharmacy at the time of the preparation of the killer 'Sura'. Satpal Sethi could not at all figure in the said interview. These factors are indicators of the fact that even though all these above mentioned persons had been brought out from the said Sub-office of the Crime Branch by the Constables, there was left no police pressure on anyone of them, and for that reason Ajay Sharma could also not be said to be under police pressure and that the aforesaid statement of Ajay Sharma appearing in the video cassette interview was voluntary, in regard to his having purchased 5 drums of thinner polish from Naresh Goyal of Murad Nagar for a cash price of Rs. 11000/-, though he asserted that the price thereof was given to him by Amrish Bhatnagar and was not out of his own pocket as he was only an

employee and thus could not be expected to pay that much price from his own pocket even though Amrish Bhatnagar maintained he did not come to Karnal Pharmacy from account of his personal busi-cares and had not given that amount to Ajay Sharma.

In view of the above discussion and under the circumstances I hold that Ajay Sharma was employed as Manager/Supervisor in the factory of M/s Karnal Pharmacy, Village Manota, Murad Nagar, Ghaziabad and was also responsible, as aforesaid, in the preparation of the killer drug under the guise of the ayurvedic drug 'Karpur-asava'.

Notices under S 8-B of the Commissions of Inquiry Act, 1952 by the Commission as and when meterial was found against any person, either from the affidavits filed before the Commission in response to the Public Notice issued by it or in the cross-examination of any witness and the persons against whom such notices were issued, appeared before the Commission and they were given opportunity to cross-examine the Deponents of the affidavits affecting them and were also afforded opportunity to produce evidence in defence. Now I shall deal with such persons separately.

PANKAJ BHATIA

The evidence against Pankaj Bhatia is found from the cross-examination of PW-57 Satish Chandra, DCP (West) and the relevant cross-examination is by Mr. P. P. Grover, Advocate counsel for Rajiv Sapra and Naresh Bhardwaj wherein this witness stated that he had seen the disclosure statement of Harjinder Singh in case FIR No. 766/91 of PS : Tilak Nagar dated 9-11-91 according to which he purchased 'Sura' from Pankaj Bhatia.

DCP Satish Chandra was subjected to cross-examination by Pankaj Bhatia's counsel Mr. J. S. Dahiya, Advocate wherein he admitted that Harjinder Singh had nowhere stated that Pankaj Bhatia supplied any 'Sura' to him. The following lines from his cross-examination make the matter absolutely clear :—

"On seeing the disclosure statement I say that Harjinder Singh has nowhere stated that Pankaj Bhatia supplied any 'Sura' to him and so my earlier statement recorded before the Commission on 12-3-92 that Harjinder Singh in his disclosure statement stated that he purchased 'Sura' from Pankaj Bhatia, is incorrect. In this disclosure statement Harjinder Singh has not mentioned specifically "Karpurasava" as one of the several types of 'Sura' sold by Pankaj Bhatia".

In view of the positions having been made clear by this witness in his cross-examination there is left no material against Pankaj Bhatia to hold him responsible as a person storing or selling the killer brew, and more so in view of his own statement

as DW-1 wherein he has categorically stated that he has never kept in his shop "Karpurasaves" nor has he ever purchased the same nor has he ever dealt in the same, nor any quarter bottle of "Karpurasava" was ever recovered from his shop even though raided on 7-11-91 by Police and Excise officials of Delhi.

Consequently I hold that Pankaj Bhatia is not responsible for the storage or sale of the killer brew.

ASHOK KUMAR CHHABRA

The evidence against Ashok Kumar Chhabra is found in the affidavits No. 62 of Mr. Bhim Sain Bassi, DCP, North Distt., Delhi Police and No. 94 of S.H.O. Tulsi Ram of PS : Bara Hindu Rao. These affidavits disclose that on 8-11-91 one Piarey Lal son of Khajan Singh was admitted in Hindu Rao Hospital after taking some unknown poison and his statement was recorded wherein he stated that he was a T.B. patient and had gone to Dr. J.P. Verma, Shahdara, Delhi on 7-11-91 at about 11-00 a.m. alongwith his wife Munni and they returned at 3-00 p.m. at Burf Khana Chowk where he asked his wife to go home and he himself went to Azad Market in a Rikshaw. He and the Rikshaw-wala purchased a quarter bottle of 'Sura' for Rs. 10/- from Chhabra Medicos, Azad Market by sharing Rs. 5/- each which was labelled as "Angoor Chhap" and not "Karpurasava". It is further made out from these affidavits that Piarey Lal and the said Rikshawpuller both consumed half-half of the said 'Sura' at Chowk Azad Market. Piarey Lal, alongwith his wife went to OPD, Hindu Rao Hospital for treatment on 8-11-91 where he was admitted at 4-00 p.m. and after initial enquiries case FIR No. 286/91 was registered under sections 284/337 IPC on 11-11-91. The Chhabra Medicos, shop No. 109, Azad Market, Delhi was inspected by the Police but stock was found NIL as per register inspected and verified by Excise Inspector. The search of the said shop was conducted on 7-11-91 and 8-11-91 and no 'Sura' was recovered from this shop. The shopkeeper Ashok Kumar Chhabra, owner of the said shop was arrested on 15-11-91 in the aforesaid case. It was further revealed during investigation that Piarey Lal had consumed not "Karpurasava" but some other brand i.e. "Angoor Chhap". The empty bottle was not recovered and even the Rikshawpullar who was unknown could not be traced out. It is further stated in the affidavit of S.H.O. Tulsi Ram that the vomiting of the patient could not be seized because no vomiting was done at the hospital and that the case was pending investigation for want of MLC result.

Both these witnesses were cross-examined as PW-62 and PW-94 respectively by Mr. C.L. Raizada, Advocate for Chhabra Medicos. Nothing incriminating appears to have been made out against Ashok Kumar Chhabra, Proprietor of Chhabra Medicos

inasmuch as the 'Sura' consumed by Piarey Lal was not the killer 'Sura' "Karpurasava" but was another brand known as "Angoor Chhap" and the latter brand had been stated by Piarey Lal himself as the 'Sura' he had consumed. Mr. Bassi, DCP has admitted in his cross-examination that he has been informed that Piarey Lal is a bad character of PS : Subzi Mandi and that he was not aware whether Piarey Lal vomitted or not or felt giddy on taking the said illicit liquor. Even suggestion was put to him if Piarey Lal had got himself admitted in the hospital on 8-11-91 for the lure of the compensation announced by the Government, though he denied that nothing till then had come to light during investigation about this suggestion. S.H.O. Tulsi Ram, PW-94 was also questioned by the Commission and in replying to the same he admitted that the MLC pertaining to Piarey Lal showed the alleged history of his having consumed 'Sura' and that was on the basis of his own statement made to the doctor in the said hospital and that alleged history of consuming 'Sura' and the symptoms thereof had not till then been verified. This witness also admitted that Piarey Lal was a bad character registered as such with PS : Subzi Mandi and further could not say that Piarey Lal had got himself admitted in the hospital on account of greed for the compensation announced by the Government. All these above mentioned factors coming out were emerging from the cross-examination of these two witnesses as also the fact that the 'Sura' allegedly consumed by Piarey Lal was not "Karpurasava" but some other brand "Angoor Chhap" and especially when the vomiting of Piarey Lal could not be seized because no vomiting was done by him at the hospital and even the empty bottle of the said 'Sura' was not recovered and the Rikshawpuller also could not be traced out and especially when no 'Sura' bottles were recovered from this shop and when 3 affidavits in defence DW-3 to DW-5 respectively of himself, Girish Kumar Nagpal and Umar Daraz were there according to which this firm has very high reputation of honesty and deals only in medicines and cosmetics only and not any "Karpurasava" nor any sale of ayurvedic preparations in voilation of I.S.P. Rules. Under the circumstances I do not find Ashok Kumar Chhabra, Proprietor of Chhabra Medicos responsible for the storage or/and sale of the killer brew.

Gobind Ram, Sole Proprietor of Vijay General Store, J. J. Colony, Chaukhandi, Delhi.

Affidavit No. 16 of Madan Lal, PW-16 provides the material against Vijay General Store according to which the Deponent of this affidavit Madan Lal and his brother Sunil purchased two quarters of 'Sura' from Vijay General Store and both of them consumed the said 'Sura' at their residence A-760, J. J. Colony, Chaukhandi on 7-11-91 whereafter Sunil started vomiting and was got admitted at RML Hospital where Sunil died on account of having consumed the aforesaid 'Sura' purchased from Gobind Ram.

In defence Gobind Ram filed two affidavits DW-7 and DW-8. Affidavit DW-7 is deposed to by Gobind Ram while the other by Ashok Kumar Chadha resident of A-60, Chaukhandi. Gobind Ram, in his affidavit, has deposed that he did not sell 'Sura' to Sunil Kumar nor he ever possessed 'Sura' or other substances of intoxication and that he is engaged in selling only cold drinks, small eatables and pulses etc., and in this he is supported by Ashok Kumar Chadha. The defence affidavits can not be believed as true because Madan Lal could not be expected to name an innocent person from whom he and his brother Sunil purchased two quarters of 'Sura' and on consuming which Sunil started vomiting, was admitted in the hospital where he died. This circumstance of death on account of the consumption of 'Sura' lends strength to the correctness of the affidavit of Madan Lal against Gobind Ram, sole Proprietor of Vijay General Store, Chaukhandi.

In view of the above discussion I find that Gobind Ram, Sole Proprietor of Vijay General Store, J. J. Colony, Chaukhandi, Delhi is responsible for the storage and sale of the killer brew.

Harish Chand Goyal , Sole Proprietor of M/s Goyal Ayurvedic Store, 16/471, Military Road, Bapa Nagar, Karol Bagh, New Delhi.

The case against Harish Chand Goyal Proprietor of M/s Goyal Ayurvedic Store is found in affidavit No. 113 of Sunder Singh resident of Krishna Nagar, near Khalsa College, Dev Nagar, Karol Bagh, New Delhi and wherein he has deposed that Harish Chand Goyal is not his tenant and he filed a complaint against him at 2, Battery Lane, Rajpur Road, Delhi and 15, Alipur Road, Drug Controller and that whatever statement was made by him in the previous letters, was true and correct to the best of his knowledge and belief. This affidavit is accompanied by only one annexure which is a letter dated 6-1-92 sent by Shri R. S. Tyagi, Distt. Excise Officer (M & T P), Delhi to Sunder Singh, Deponent of this affidavit and according to this letter Sunder Singh was informed that the ISP-1 license of M/s Goyal Ayurvedic Store had been cancelled on 2-12-91 for not submitting the reply of show-cause notice dated 25-11-91 and non-submission of monthly statement which is a mandatory requirement. The statement of Sunder Singh was recorded as PW-113 which comprises his replies to the questions put by the Commission and thereafter his cross-examination by Harish Chand Goyal and by Mr. A.P. Ahluwalia, counsel for Delhi Police. According to his statement he knew Harish Goyal, Proprietor of Goyal Ayurvedic Store who had been selling in abundance bottles of the killer 'Sura' in the said shop but he had not put Harish Goyal in this shop in any capacity whatever—not even as a tenant. He further stated that on 5-11-91 i.e. the Diwali day he himself saw that Harish Goyal was selling in plenty 'Sura' bottles but in the night of Diwali Harish Chand Goyal ran away after

closing his aforesaid shop and on 8-11-91 the Police raided the said shop and recovered 'Sura' bottles from there and that he saw only the heavy 'pettis' of bottles and not the bottles themselves and so could not say if the bottles were bearing any labels or not.

In his cross-examination by Harish Chand Goyal, Sunder Singh denied as wrong the suggestion that he had deposed falsely for the reasons that Harish Chand Goyal was in occupation of the said shop as his tenant and that disputes were there between them on that count. He also denied that he had filed any civil suit much less 3 civil suits against Harish Goyal and urged that he was in forcible occupation of this shop. On the other hand he went on to state that he had filed only one suit against one Satish in respect of this very shop. He then stated that in fact one Prem Chand was his (Sunder Singh's) tenant in this shop but he left and gave possession of this shop to Satish and later on he learnt that Satish also left this shop after giving possession to Harish Goyal. He further denied as wrong the suggestion that he had falsely deposed against Harish Goyal simply for the purpose of dis-possessing him from this shop. In his cross-examination by the Counsel for Delhi Police, this witness after stating that Mr. B.L. Sharma, Excise Officer called a file in his presence and that file disclosed that Harish Goyal had forged his signatures on a rent receipt which had never been issued by him. This witness has also talked of the Police raid on this shop.

In defence Harish Goyal has filed 3 affidavits including his own wherein the Deponents thereof had deposed that Harish Goyal never sold 'Sura' in his shop. According to all these affidavits Harish Goyal has never sold 'Sura' in his aforesaid shop and that Sunder Singh has sought to implicate him in this case only due to his disputes with him regarding this shop. The other two affidavits filed in defence are deposed to by Bali Ram Jain and Ram Sarup who were both residents of the premises on Military Road on which Road Harish Goyal is running the aforesaid shop.

Considering the entire evidence including the evidence in defence it does not look feasible to rely upon the solitary statement of Sunder Singh PW-113 especially when he made no mention in his affidavit No. 113 about Harish Goyal selling 'Sura' in this shop. There is obvious enmity between the two in respect of this shop inasmuch as Sunder Singh has asserted the occupation of Harish Goyal in this shop not as his tenant but otherwise forcibly. Sunder Singh has also alleged the forging of rent receipt in respect of his shop by Harish Goyal which, according to his statement, was found lying in Excise file.

Even though the Police raided this shop but there is no evidence before the Commission if any 'Sura' bottles were recovered from this shop and on the contrary nothing incriminating was recovered therefrom and on this point cross-examination of S.H.O. Ajit Singh by Harish Chand Goyal is instructive inasmuch as

he admitted as correct that no bottles of the killer Sure 'Karpurasavas' were recovered from the shop of M/s Goyal Ayurvedic Store, 16/471, Military Road, Bapa Nagar, Karol Bagh, New Delhi whose sole Proprietor was Harish Chand Goyal present before the Commission, even though his premises were searched by S.I. Sarwan Singh of P.S. : Parsad Nagar. Harish Chand Goyal made a statement on 17-6-92 before the Commission that he did not want to cross-examine DCP P.R. Meena and also not to produce any further defence. S.H.O. Ajit Singh and DCP P.R. Meena had been recalled by the Commission so as to afford an opportunity to Harish Chand Goyal to cross-examine them and to produce any further evidence in defence inasmuch as it came to notice of the Commission subsequently after his having cross-examined Sunder Singh PW-113 and filing 3 affidavits in defence, that these two witnesses had in their respective cross-examination by others named M/s Goyal Ayurvedic Stores and other shops from where the deceased persons had purchased 'Sura' and had consumed the same and this fact was disclosed to S.H.O. Ajit Singh by the relations of the deceased persons. And even what was seen by Sunder Singh at the time of raid was only the heavy 'Pettis' of bottles and not the bottles themselves for which reason he could not say if the bottles were bearing any labels or not. Under the circumstances I do not find satisfactory material against Harish Goyal regarding the allegation of his having been dealing in 'Sura'.

Consequently in view of the aforesaid discussion I am of the opinion that Harish Goyal, sole Proprieter of Goyal Ayurvedic Store is not responsible for the storage or sale of the spurious brew.

Ashok Goyal, Shop No. 16/1501, Bapa Nagar, Near Shiv Mandir, Karol Bagh, New Delhi.

The material against Ashok Goyal, sole Proprietor of Goyal Ayurvedic Store is furnished in the lone affidavit No. 72 of S.H.O. S. C. Batra of PS : D.B.G. Road, New Delhi wherein it is asserted that one Balbir s/o Gian Singh r/o E-14, Govt. Quarters, Dev Nagar, New Delhi was admitted in Ram Manohar Lohia Hospital on 9-11-91 and a case FIR No. 284 dated 11-11-91 u/ss. 275/284/336 I.P.C. of PS : D. B. G. Road was registered as his eyesight was affected. The injured was discharged from the hospital on 15-11-91 and according to the statement of the injured he had bought quarter bottle of 'Sura' from shop No. 16/501, Bapa Nagar, Karol Bagh, New Delhi PS : Prasad Nagar and consumed the same while on the way to his residence.

S.H.O., S. C. Batra appeared as witness as PW-72 wherein he proved his aforesaid affidavit by deposing to the truthfulness of the contents thereof, and was subjected to cross-examination by Mr. C. L. Dhawan, Advocate, Counsel for Ashok Goyal wherein this witness stated that he had personally contacted injured Balbir

Singh on 9-11-91 in Ram Manohar Lohia Hospital and he registered the aforesaid case FIR No. 184 dated 11-11-91 whereafter investigation of this case was transferred to the Crime Branch, Delhi and so he was not aware if during the investigation any corroboration could be found or not in context with Balbir Singh having purchased quarter bottle 'Sura' from the said shop. He denied the suggestion as wrong that Balbir Singh had made no statement to him in the hospital or had made false statement with an eye on compensation announced by the Government.

In defence Ashok Goyal has produced as many as 4 affidavits including his own and the same are DW-44 to DW-47 and the same are respectively deposed to by Ashok Goyal himself, Smt. Maya, Daya Kishan and Pusrhottam and the last mentioned 3 Deponents are residents of Ashok Ayurvedic Store, Karol Bagh, New Delhi and the business premises of Ashok Goyal are also situated on Arya Samaj Road, Karol Bagh. According to the affidavit of Ashok Goyal, Ashok Goyal did not sell any bottle of alleged 'Sura' to injured Balbir as alleged in FIR No. 284/91 and that he had ho direct links with the manufacture of the alleged poisoness 'Sura' nor has he sold the alleged 'Sura' and has never voilated the terms of the license granted to him by the Drug Department. He has further stated that he had no knowledge about the alleged 'Sura' and the two bottles recovered from him. About his implication in this case his plea is that he has been falsely implicated only at the instance of the Police who have acted arbitrarily and have involved the Deponent and his father falsely only to save their own skin from departmental action. The remaining 3 affidavits filed in defence have identical contents according to which Ashok Goyal has never sold the alleged poisonous 'Sura' nor has he been involved in any criminal activity and is a person of character in the area and has been falsely implicated by the Police only for their ulterior motives.

Considering the aforesaid evidence it is not possible to disbelieve affidavit No. 72 of S.H.O. S.C. Batra or that the injured Balbir Singh had made false statement to the said S.H.O. in the hospital. Neither S.H.O. S.C. Batra or injured Balbir Singh had any axe to grind against Ashok Goyal so as to implicate him falsely in this case. The witnesses of Ashok Goyal in defence who are the Deponents of 3 affidavits have simply alleged ulterior motives of the Police for falsely implicating Ashok Goyal but they have not set out definitely in their affidavits the particulars of the ulterior motives. S.H O. S C. Batra, when cross-examined by the Counsel for Ashok Goyal was not put any such suggestion of falsely implicating Ashok Goyal for ulterior motives nor the suggestion of the Police having acted arbitrarily and involving Ashok Goyal and his father falsely only to save their own skin from departmental action. The defence thus looks unbelievable and the assertion against Ashok Goyal by S.H.O. S.C. Batra look true.

It came to notice subsequently that in his cross-examination DCP P.R. Meena, Central District, Delhi Police PW-69 had named M/s Goyal Ayurvedic Stores in Prasad Nagar area and M/s Bansal Ayurvedic Stores in the same area from which shops 9 quarter bottles of 'Karpurasavas' were seized on 7-11-91. S.H.O. Ajit Singh of PS : Prasad Nagar, Central District, Delhi Police PW-67 had also named these two Stores in his replies to the questions put by the Commission. Further notice u/s 8-B of the Commissions of Inquiry Act, 1952 was issued to M/s Goyal Ayurvedic Stores in response to which its Proprietor Ashok Goyal put up appearance before the Commission. He had been supplied copies of the aforesaid relevant material appearing in the cross-examination of these two Police Officers. Ashok Goyal was permitted to cross-examine both these witnesses but he chose to cross-examine only S.H.O. Ajit Singh but not the other witness DCP P. R. Meena, as would appear from the order sheet dated 18-6-92.

In his cross-examination by Ashok Goyal S.H.O. Ajit Singh PW-67 stated that 3 bottles of 'Karpurasavas' were recovered from his shop. A day earlier i.e. on 17-6-92 S.H.O. Ajit Singh while under cross-examination by Bhagat Ram, Proprietor of M/s Bansal Ayurvedic Stores, had erroneously stated that during the search of M/s Bansal Ayurvedic Stores 3 quarter bottles of 'Karpurasavas' were recovered by the Police Party headed by him but he corrected this statement of his on the next day i.e. 18-6-92 while stating that from M/s Bansal Ayurvedic Stores as many as 6 bottles of 'Karpurasavas' had been recovered and not 3 as stated by him on the previous day and that the error on this point was a result of an accidental mistake. In his cross-examination by Bhagat Ram Proprietor of M/s Bansal Ayurvedic Stores, he stated correctly that 6 quarter bottles of 'Karpurasavas' were recovered from the premises of M/s Bansal Ayurvedic Stores and 3 quarter bottles of 'Karpurasavas' from the premises of M/s Goyal Ayurvedic Stores, Proprietor of which is Ashok Goyal. Thus as many as 3 quarter bottles of 'Karpurasavas' were recovered by the Police Party headed by S.H.O. Ajit Singh of PS : Prasad Nagar, Delhi from the shop of M/s Goyal Ayurvedic Stores whose sole Proprietor is Ashok Goyal.

There is a confusion as there are two Stores both named as M/s Goyal Ayurvedic Stores. One of which is located at premises 16/471, Military Road, Bapa Nagar, Karol Bagh, New Delhi and which is owned by Harish Chand Goyal whereas the other located in shop No. 16/1501 (Near Shiv Mandir), Arya Samaj Road, Karol Bagh, New Delhi whose wole Proprietor is Ashok Goyal. When S. H. O. Ajit Singh and DCP P. R. Meena named the two shops M/s Bansal Ayurvedic Stores and M/s Goyal Ayurvedic Stores, they really meant Goyal Ayurvedic Stores located at shop No. 16/1501 (Near Shiv Mandir), Arya Samaj Road, Karol Bagh, New Delhi whose sole Proprietor is Ashok Goyal. These two witnesses had also stated that in all 9 quarter bottles of 'Karpurasavas' had been recovered from M/s Bansal Ayurvedic

Stores and M/s Goyal Ayurvedic Stores out of which 6 quarter bottles of 'Karpura-sasvas' had been recovered from the shop of M/s Bansal Ayurvedic Stores and the remaining 3 quarter bottles of 'Karpoor Asav' were recovered from M/s Goyal Ayurvedic Stores Shop No. 16/1501 (Near Shiv Mandir) owned by Ashok Goyal and that no recovery had been affected from the other premises of M/s Goyal Ayurvedic Stores, 16/471 Military Road, Bapa Nagar, Karol Bagh, New Delhi whose sole Proprietor is Harish Chand Goyal.

Thus the aforesaid recovery of 3 quarter bottles of 'Karpoor Asav' from M/s Goyal Ayurvedic Stores whose sole Proprietor is Ashok Goyal is a conclusive factor showing that he stored and sold the killer 'Sura' on or about last 'Diwali' of 1991.

Ashok Goyal chose not to produce any additional defence to relent the above mentioned additional material against him emerging from the cross-examination of S.H.O. Ajit Singh and DCP P. R. Meena.

So in view of what has been stated and discussed above, I hold Ashok Goyal, sole Proprietor of Shop No. 16/1501, Bapa Nagar, Near Shiv Mandir, Karol Bagh, New Delhi responsible for the storage and sale of the adulterated brew in question.

Rajesh Kumar, Sole Proprietor of M/s Aggarwal Chemists (at the corner of Block-K, Jahangirpuri), Delhi.

The material against Rajesh Kumar, sole Proprietor of M/s Aggarwal Chemists is furnished by the affidavit No. 49 of Tejpal son of Manmohan Singh resident of Jhuggi No. 108, Lakhi Park, Near K-Block, Jahangirpuri, Delhi as also in the cross examination of Mr. K. K. Maheshwari, Assistant Director, S. V. P., National Police Academy, Hyderabad who was earlier posted as Deputy Commissioner of Police, North-West District during the period from 28-2-90 to 18-12-91, by Mr. Jatinder Sethi, counsel for Rajiv Sapra and Naresh Bhardwaj. The affidavit of Tejpal shows that on Diwali he purchased a bottle of Sura from M/s. Aggarwal Chemists (at the corner of Block-K) for Rs. 7/- and after consuming the same he went to sleep and on the next day he was taken ill and then taken to Hindu Rao Hospital by an acquaintance Radhey Shyam Verma where he was treated and saved and his eyesight had been adversely affected. This affidavit further shows that the fact that the consumption of Sura on Diwali made him loss his eyesight meant that something spurious might have been adultrated which caused this tragedy.

In cross examination Mr. K. K. Maheshwari deposed that bottles of Karpoor Asav were seized from regular shopkeepers and out of those samples were also sent to CFSL and Excise Laboratory and their report showed the presence of Methly Alcohol

and that M/s. Aggarwal Super Store was one of such shops. He further stated that the name M/s. Aggarwal Super Store could be wrong but the names of the partners of that firm were, however, Rajesh and Surender and that the case FIR No. 394 of 91 P. S. Ashok Vihar pertained to these people.

In view of the aforesaid cross examination of Mr. Maheshwari notices were issued to Rajesh and Surender but both of them stated that only Rajesh was the sole proprietor of this firm whose correct name was "Aggarwal Chemists". Rajesh did not care to cross examine Mr. Maheshwari even though photocopy of the aforesaid cross examination of Mr. Maheshwari was given to Mr. Tiger Singh, Advocate, counsel for Rajesh and Mr. Tiger Singh was directed to 1st the Commission know by the next date i. e. 6-3-92 if he would like to cross examine Mr. K. K. Maheshwari PW-50, but Mr. Tiger Singh did not appear on 6-3-92 nor on any other subsequent date before the Commission.

In defence Rajesh Aggarwal filed three affidavits including his own and the same are DW-42 of Satish Kumar, DW-42 A of Rajesh Aggarwal and DW-43 of Ramlal. All these persons are residents of Jahangirpuri. Satish Kumar resides at K-727 while Ramlal at premises No. H-19, the letters 'K' and 'H' probably denoting the blocks. Rajesh Kumar and his other two witnesses according to all these witnesses Rajesh Kumar is the sole proprietor of Aggarwal Chemists, Jahangirpuri, Delhi and that he has never sold, kept or stored any illicit liquor or Sura in his shop. He resides in the same building in which he runs his aforesaid shop and that the aforesaid shop is a Kiryana shop. According to Satish Kumar DW-42 he resides in a lane not exactly opposite to the lane of house of Rajesh Kumar but after one lane in the opposite direction and that he had been purchasing Kiryana goods from his shop. He further stated that on 6-11-91 at about 6-00 P. M. when he was purchasing Kiryana goods from M/s. Aggarwal Chemists the police raided this shop and arrested Rajesh Kumar and took him away after seeing through his shop but no illicit liquor/sura was recovered from his shop by the police. Thereafter he was examined by the Commission and stated in reply to the Commission's questions that he did not make any complaint to higher authorities that Rajesh had been arrested by the police even though he was innocent and no recovery was effected from his shop. In his cross examination he was not aware of any enmity of the police with Rajesh Kumar and stated that Rajesh Kumar had never been arrested in any other criminal case.

Rajesh Kumar Aggarwal DW 42-A denied that Tejpal PW 49 had purchased any bottle of Sura from his shop on Diwali last for a price of Rs. 7/- nor did he know if he was admitted in Hindu Rao Hospital after consuming Sura on Diwali day or that he was taken ill for that reason on the next day of Diwali or he lost his eyesight.

He has asserted that Tejpal has filed wrong affidavit against him even though he has no enmity against any Tejpal whom, in fact, he does not know. He could not say for what reason he has filed this false affidavit.

Ramlal DW-43 has also stated that he was present at the shop of Rajesh Aggarwal on 6-11-91 in the evening when police took him away to police station and at that time police did not search his shop but simply arrested him and took him away and a large group of public assembled at his shop at that time. In reply to Commission's question he expressed his ignorance if the police was inimical towards Rajesh and stated that the house-cum-shop of Rajesh is about 1 K.M. from his house. His kiryana shop is also at a distance of 1 K.M. from the kiryana shop of Rajesh and in that connection he has been visiting Rajesh's shop.

The defence evidence does not inspire confidence and does not look true for the reason that the statement of Mr. Maheshwari against him cannot be disbelieved and the police could not normally be expected to register a criminal case FIR 394 of 91 P.S. Ahok Vihar falsely against Rajesh if he was innocent, especially when admittedly there was no enmity of the police towards Rajesh, and no complaint was made to higher authorities that Rajesh was innocent according to Satish Kumar DW-42 one more customer was standing at the shop of Rajesh Kumar at the time the police raided the shop of Rajesh and arrested Rajesh and took him away. Whereas according to Ramlal DW-42 a large group from the public had assembled at the shop of Rajesh at that time.

In his cross examination deponent Tejpal of affidavit No. 49 by Mr. Tiger Singh, counsel for M/s Aggarwal Chemists, stated that the bottle of Sura which he purchased on Diwali day was a sealed one but he had not obtained any cash memo regarding that purchase nor could he tell what was the price printed on that bottle. He further stated that had stomachache on that day but had not been advised by any Vaid or Hakim to take Sura as it could cure the stomachache. He was not in possession of any written or oral proof regarding having purchased Sura from M/s Aggarwal Chemists on Diwali day and that he did not vomit on account of the consumption of Sura on that day. He denied as wrong the suggestions that he did not purchase any such Sura from M/s Aggarwal Chemists on Diwali day or that he had consumed some spurious liquor from some other bottle. He also stated that he consumed the Sura and threw the bottle after consuming it. He also denied as wrong the suggestion that the contents of this affidavit were false or distorted or that he had given this affidavit on the pursuation of some officers whom he wanted to protect. All this cross examination does not appear to be of any help to Rajesh.

In view of the above discussion I hold Rajesh Kumar Aggarwal the sole proprietor of "Aggarwal Chemists" (located at the corner of Block K, Jahangirpuri) Delhi, responsible for the storage and sale of the adulterated/spurious brew.

Hem Raj, Chemist, Opposite Singh Sabha Gurdwara, Subhash Nagar, New Delhi

The material against Hem Raj, Chemist is provided by the lone affidavit of Gulshan Kumar, resident of Subhash Nagar, New Delhi wherein he has deposed that his father had purchased Sura from Hem Raj, Chemist, opposite Singh Sabha Gurdwara, Subhash Nagar and having consumed the same he died on 8-11-91. In this affidavit Gulshan Kumar has specified that his father had purchased and consumed Sura on the next day of Diwali, 1991 and a complaint was registered being F.I.R. No. 907/91 dated 8-11-1991 but no action had been taken on the same. Photocopy of that F.I.R. has been annexed with this affidavit.

Opportunity was afforded to Hem Raj, Chemist to cross examine Gulshan Kumar and he was cross examined by Hem Raj's Counsel Mr. D.K. Gupta, Advocate at length.

In defence Hem Raj, Chemist produced two affidavits including his own and the same are D.W. 36 and D.W. 37. The affidavit D.W. 36 is deposed to by Hem Raj while the other affidavit D.W. 37 by Madan Lal having his shop adjacent to the shop of Hem Raj, and in both these affidavits it is asserted that Hem Raj, Cehmist has never sold Sura at his shop.

Even though Gulshan Kumar has specifically named Hem Raj, Chemist, opposite Singh Sabha Gurdwara, Subhash Nagar from whom his father had purchased and consumed Sura on the next day of Diwali, 1991 and due to consumption of the same died on 8-11-91, he, in his cross examination by the Counsel for Hem Raj, Chemist, deviated from the same in as much as he stated that his father did not tell him that he had purchased Sura from the shop of Hem Raj, Chemist nor did he tell him that it was on account of Sura that his vision was getting blurred or from where he had purchased Sura. According to his cross examination, on the night intervenning 7th/8th November, 1991 his father complained to him that his chest was burning for which reason he called in a doctor that very night and his father told the doctor that his vision was getting blurred bud did not tell him that it was on account of Sura or from where he had purchased Sura. The position taken by him in his cross examination is that after the death of his father when people assembled at his house, they said that his father might have purchased Sura from the shop of Hem Raj, Chemist while some of them were saying that he might have purchased Sura from the shop of someboby else. He further clarified that one or two persons named Hem Raj, Chemist from whose shop he might have purchased Sura while other 5/6 persons were saying that he might have purchased Sura from 4/5 other shops located in the market. He was also examined by the Commission on this point and he stated that para No. 1 of his affidavit had been read over to him in which it was mentioned that his father had purchased Sura from Hem Raj, Chemist and that at the time of filing of this affidavit he had not made

any enquiry if his father had purchased Sura from Hem Raj, Chemist. He further stated in reply to the questions put by the Commission that he had mentioned in para No. 1 of his affidavit that his father had purchased Sura from Hem Raj, Chemist only on the basis of some people having told him so. On the adjourned hearing on asking by the Commission he stated : "I did not tell him (Typist) the name of Hem Raj, Chemist as the person from whom he had purchased Sura and he might have written the name of Hem Raj, Chemist of his own". Thereafter the following question was put by the Commission to Gulshan Kumar, answer to which is also reproduced :—

"*Question*" : The affidavit mentions the address of Hem Raj Chemist in para No. 1. Did the typist type out this address of Hem Raj, Chemist of his own or you told him the address of Hem Raj Chemist"?

"*Answer*" : I told him the address of Hem Raj Chemist. I also mentioned to the typist the name of Hem Raj, Chemist. In his cross examination by the Counsel for Hem Raj, Gulshan Kumar further stated that he had told the name of Hem Raj, Chemist to the typist as the name had stuck in his mind on account of some persons assembled at his house having named him as the person from whose shop his father might have purchased Sura. The deviation resorted to by Gulshan Kumar in his cross examination does not inspire confidence and looks false as against his mention by him in his affidavit the specific name of Hem Raj, Chemist and his address opposite Singh Sabha Gurdwara, Subhash Nagar and purchase of Sura by his father from him and as a result of which he died on 8-11-1991. According to his statement in reply to Commission's questions he stated that his father consumed Sura on 6-11-1991 and he was conscious upto the end of the day on 7-11-1991 and on the night of 7-11-91 his condition deteriorated and he could not speak on the morning of 8-11-91 and the doctor attended upon him on the night intervening 7th/8th November, 1991 when his father complained to him (Gulshan Kumar) that his chest was burning where upon the doctor was called and he was told by his father that his vision was getting blurred. With so much time between the consumption of Sura and his death as a result thereof and his vision getting blurred in the presence of doctor, it is almost impossible to believe that Gulshan Kumar did not ask his father the cause of that grave ailment or his father did not tell him or the doctor attending upon him that it was a result of his having consumed Sura and from where he had purchased Sura. Under the aforesaid circumstances, the conduct ascribed by Gulshan Kumar to his father that he did not tell him that he had consumed Sura and that he had purchase the same from the

shop of Hem Raj, Chemist looks highly incredible and is opposed to the natural course of conduct on such occasions. It is true that in the FIR lodged by Gulshan Kumar, Gulshan Kumar had not named Hem Raj, Chemist as the person from whom his father had purchased Sura, but that does not look very material, because this Report was made by a constable posted at Deen Dayal Upadhyay Hospital telephonically and the constable omitted to mention the name of Hem Raj, Chemist from whose shop the bottle of Sura was purchased by the father of Gulshan Kumar and it is also probable that in the circumstances even Gulshan Kumar might have missed to mention the name of Hem Raj Chemist from whom his father purchased the killer Sura. Gulshan Kumar appears to have been won over by Hem Raj, Chemist and Gulshan Kumar thinking that the death of his father was a fait accompli and was a matter of the dead past resorted to falsehood in his cross-examination with a view to help Hem Raj, Chemist out of his affidavit.

The assertion in the affidavit of Hem Raj that his shop was searched on 6th, 7th and 8th November, 1991 by the police of P.S. Rajouri Garden but nothing like Sura was recovered from there, is also not very material for the reason that on the start of the tragic deaths the police made public announcements about the deaths having been caused by the consumption of Killer Sura whereupon various shopkeepers destroyed or threw away their stocks of Sura.

In view of the aforesaid discussion I hold that Hem Raj, Chemist who, as per his own affidavit D. W. 36, is the proprietor of M/s. Medical Emporium, Shop No. 1, Block No. 7, Subhash Nagar, New Delhi, is responsible for storing and selling the killer Sura.

Harjinder Singh, Sole Proprietor of Jaswant Medical Hall (Near Community Hall), 399-A, Chand Nagar, P. S. Tilak Nagar, Delhi.

Affidavit No. 14 deposed to by Dharam Pal Son of Behari Lal, resident of A-35, J. J. Colany, Chaukhandi, Delhi sets out evidentiary material against Jaswant Medical Hall, by stating that Dharam Pal is a labourer and he purchased a quarter bottle of Sura from Jaswant Medical Hall at about 6.00 P.M. on 6-11-1991, on his way to his in-laws house alongwith his wife and consumed the same at the house of his in-laws and took meals thereafter and next morning he felt giddiness and started vomiting in the evening and was get admitted to the hospital by his wife on 7-11-91. He has asserted in this affidavit that he vomitted due to the consumption of above mentioned Sura purchased from Jaswant Medical Hall.

Deponent Dharam Pal P.W. 14 was subjected to cross examination by Harjinder Singh, Sole Proprietor of Jaswant Medical Hall wherein Dharam Pal denied as wrong the suggestions that he had given false affidavit under pressure of anybody or that Jaswant Medical Hall did not sell Sura or that he had given this false affidavit and under the false pretention of sickness he had concocted falsely the story of having purchased a quarter bottle of Sura from Jaswant Medical Hall and got himself admitted in the hospital with an eye on compensation. He also stated that the label of quarter bottle of Sura which he purchased on 6-11-91 from Jaswant Medical Hall was of white colour while the labels on the bottles of Sura earlier purchased by him from the said shop were having yellow and red colours and that he had not preserved those bottles. He conceded that he was aware that Government had announced compensation even for those persons, who had suffered ailments and disablements during this tragedy.

Harjinder Singh, Proprietor of Jaswant Medical Hall was present before the Commission on 11-5-92 but had not brought any list of defence witnesses though he wanted to produce evidence in defence and so he was directed to produce defence evidence before the Commission on 13-5-92, on which date he did not put up appearance nor on any subsequent dates.

The assertions made by Dharam Pal P.W. 14 in his affidavit No. 14 cannot be disbelieved as there is hardly anything appreciably worthwhile against him emerging from his cross examination by Harjinder Singh and more so when he did not bother to produce evidence in defence though granted an opportunity to produce the same.

For the aforesaid reasons I am of the view and also hold that Harjinder Singh Sole Proprietor of Jaswant Medical Hall, 399-A, Chand Nagar, P. S. Tilak Nagar, Delhi is responsible for storage and sale of the adulterated/spurious liquor in question.

Mr. Kewal Krishan, Sarpanch, Kirana General Stores, (Backside Gas Godown) Near Block-'K' Village Bhulasva, Jahangirpuri, Delhi.

The material against Kewal Krishan, Sarpanch, Proprietor of "Sarpanch Kirana General Stores" in Village Bhulsava within the jurisdiction of P.S. Jahangirpuri, Delhi is found in the statement of Harsh Kumari C.W. 1 who appeared before the Commission of her own on 13-3-92 and volunteered to make her statement and the same was recorded at that day. In her statement she deposed that her husband Charan Das, deceased had purchased two quarter bottles of Sura from the shop of Kewal Krishan, Sarpanch Proprietor of "Sarpanch Kirana General Stores", Village Bhulsava on the Diwali Day last year i.e. on 5-11-91 and he consumed both those quarter bottles of Sura on 5th and 6th November, 1991 and at about 8.00/9.00 P.M. on 6-11-91 he started vomiting and continued vomiting throughout the night bit by bit and

also felt giddy and could not walk; his eyes became very red and vision got blurred and in the morning of 7-11-91, he could not even speak whereupon she went to P.S. Jahangir Puri from where police came alongwith her to her house and they removed her husband Charan Das to Hindu Rao Hospital, Delhi but he could not make a statement to the police and died at 9.30 A.M. on 7-11-91 in the hospital itself. She further stated that her husband had been purchasing quarter bottles of Sura from the aforesaid shop of Kewal Krishan and had been consuming daily continuously for about 6/7 months prior to his death. She further stated that he had been purchasing sometimes two bottles and sometimes three from Kewal Krishan's shop and sometimes had been coming home even drunk from that shop and their eldest son Manoj Kumar aged about 11 years had also been fetching for his father quarter bottles of Sura from the residence of Kewal Krishan whose residential address she gave as follows :—

"Mr. Kewal Krishan,
A-107, D.D.A. Flats,
Punjab Relief Camp,
Jahangirpuri,
Delhi-110033".

On the basis of the aforesaid statement of Harsh Kumari, Notice under Section 8-B of the Commissions of Inquiry Act, 1952 was given to Kewal Krishan Sarpanch and who appeared before the Commission in pursuance to that notice. His Counsel Mr. R.L. Panjwani, Advocate was permitted to cross examine Harsh Kumari on 27-3-92 and he cross examined her to a considerable extent. In her cross examination she stated that she had appeared in the Matric Examination but failed and that she could read freely Devnagri and Gurmukhi scripts. She even stated that she alongwith police removed her husband to Hindu Rao Hospital on 7-11-91, she did not make any statement to the police in the hospital but the police took her statement on a paper which was written upon in Hindi, and before signing that paper she had read the contents thereof and it was on the basis of that statement of hers that F.I.R. No. 415/91 was registered by the local police at P. S. Jahangirpuri. She conceded that at that time in the hospital she had not stated before the police against Kewal Krishan Sarpanch regarding his selling Sura, or her husband and son ever having purchased Sura from him. On these facts it was contended that had Kewal Krishan Sarpanch been involved in this matter, she would have certainly named him before the police as the person selling Sura and her husband and son having purchased Sura from him for her husband's consumption, and that in the absence of such a mention, an adverse inference should be drawn against Harsh Kumari that her husband had not been purchasing Sura from Kewal Krishan Sarpanch nor did he purchase it from him on Diwali Day i.e. 5-11-91 nor died due to having consumed the same. This contention, though seemingly plausible, does not hold good as the statement of Harsh

Kumari was already written by the police relating to the death of Charan Das, deceased due to consumption of Sura and short of the name of Kewal Krishan Sarpanch from the whom the killer Sura was purchased. It is not the case of Kewal Krishan Sarpanch that the name of some other Sura vendors was mentioned in the aforesaid, police recorded statement of Harsh Kumari and in this view of the matter the omission is not fatal.

In her cross examination Harsh Kumari also conceded that she and her husband had been purchasing Kiryana goods from Kewal Krishan and that the credit balance in respect of purchases was to the tune of Rs. 1814.75 p. and she admitted the entries in respect of the purchases by them on credit as also correctness of the photocopy of the same which is Ex. CW1/X-1, by further stating that the aforesaid credit balance amounting to Rs. 1814.75 p. was still outstanding and had not been paid till them. On the basis of the aforesaid credit balance Mr. Panjwani, Learned Counsel for Kewal Krishan urged that this was another factor for Harsh Kumari providing an occasion to falsely implicate Kewal Krishan Sarpanch in this case. It was never suggested to her that she did not intend to pay off the aforesaid credit balance or that she was falsely implicating him on that score.

There was hardly any justification for Harsh Kumari to have named Kewal Krishan Sarpanch falsely as the person who sold the killer Sura to her husband or that her husband had been purchasing daily 'Sura' from the shop of Kewal Krishan or his son had also sometimes been fetching for his father from the residence of Kewal Krishan Sarpanch, and letting off any other vendor of Sura who was the real culprit.

In her cross examination she also admitted that she never accompanied her husband to the shop of Kewal Krishan Sarpanch, but that is also immaterial in view of the circumstances that her husband had been purchasing Sura quarter bottles from Kewal Krishan daily and sometimes consumed at home continuously for a period of 6/7 months preceding his death and also sometimes came home drunk and it is impossible to say or even to think that he never told his wife Harsh Kumari from where he used to purchase Sura or that Harsh Kumari never asked him about the source from where he had been purchashing Sura and ultimately the Sura which proved fatal. She would not have named her son as having sometimes been fetching for his father Sura from the residence of Kewal Krishan Sarpanch whose residential address she also gave in her statement.

In defence Kewal Krishan has examined one witness Pooran Chand Rickshaw Puller of Jahangirpuri, Punjab Relief Camp, Jahangirpuri where Charan Dass, deceased has also been living alongwith his family members, besides himself, respectively as D.W. 1 and D.W. 2 and both of them have stated that Kewal Krishan Sarpanch

never sold liquor/Sura and that Charan Dass deceased husband of Harsh Kumari never purchased liquor/Sura or killer Sura from his shop. Kewal Krishan also denied that Charan Dass ever sent his children to his house for purchasing Sura for him and that he never sold Sura at his residence also.

Pooran Chand D.W. 1 has deposed that the knew Charan Dass, deceased husband of Harsh Kumari as he too was a rickshaw puller like him and that they were friends and both of them had been taking together country made liquor and sometimes sura also, but they never purchased the same from the shop or residence of Kewal Krishan Sarpanch. He denied that Kewal Krishan Sarpanch ever sold liquor/sura but from a shop opposite to Punjab Relief Camp in Jahangirpuri both of them had been purchasing Sura.

The defence evidence does not inspire confidence inasmuch as there was no enmity of Harsh Kumari or her deceased husband to falsely implicate Kewal Krishan Sarpanch but on account of friendly and neighbourly relations with them, he had sold to them even provision on credit basis which no stranger shopkeeper would give. The factum that inspite of such good and neighbourly relations Harsh Kumari has indicted Kewal Krishan Sarpanch, cannot but be true.

In view of the above discussion I hold that Kewal Krishan Sarpanch, proprietor of "Sarpanch Kirana General Stores", Village Bhulasva within the jurisdiction of P.S. Jahangirpuri, Delhi was responsible for the storage and sale of the killer Sura".

M/s. Tej Medicos, Jahangirpuri(Sole Proprietor Nav Tej Sharma)

The affidavit No. 1 deposed to by Dr. V.P. Varshney, Director (Health Services), Delhi Administration holding additional charge of Drugs Controller, furnishes the material against M/s. Tej Medicos whole sole proprietor is Nav Tej Sharma, and according to this material the police had seized 190 bottles of Karpoor Asav Batch No. : 114; date of manufacture 6/91, purporting to have been manufactured by Karnal Pharmacy (Regd.), Ghaziabed (U.P.), from the premises of M/s. Tej Medicos, Jahangir Puri.

Dr. Varshney was subjected to cross-examination by Mr. D.L. Dhingra, Counsel for Tej Medicos.

Nav Tej Sharma, Proprietor of M/s. Tej Medicos produced himself in the witness box as D.W. 13 and also produced as many as five affidavits which are D.W. 14 to D.W. 18 respectively deposed to Bal Kishan Gupta, Shiv Kumar Bhardwaj, Vinod Kumar Sharma, Virender Gupta and Satya Bhan, in defence three of whom are his

shop employees but deposed that no Sura bottles were recovered from this shop on search by police on 6-11-91 during which search Nav Tej Sharma was not present but arrived there only later. One of the deponents of these affidavits, namely, Shiv Kumar Bhardwaj alone has stated in his affidavit that a large number of bottles of Sura were lying outside this shop on the road and that it was those bottles which were taken into possession by the police and the recovery memo in respect thereof was got signed by him. The testimony of Nav Tej Sharma D.W. 13 and the affidavits filed by him in defence are false and inspire no confidence and the deposition of Shiv Kumar Bhardwaj in his affidavit D.W. 15 that a large number of Sura bottles were lying outside the shop on the road which were taken into possession by the police and the recovery memo got signed from him is a clear indication of the recovery of large number of Sura bottles from inside this shop on search by the police. Recovery memo in respect of which was attested by this witness and this witness has resorted to falsehood in order to help Nav Tej Sharma by deviating whereby he talked of the recovery of bottles as lying outside the shop on the road. Nobody else could dare to keep such a huge number of Sura bottles outside the shop of Nav Tej Sharma and the recovery of these Sura Bottles appears necessarily from inside Tej Medicos. Even though Dr. Varshney in his cross-examination has stated that he has no personal knowledge about the seizure of the said bottles by the police from Tej Medicos, he hastened to add that he learnt it only from his subordinates or from the police. This derivative knowledge of his as Head of the Drugs Deptt., Delhi is sufficient to prove this recovery when this recovery is evidenced by a recovery memo admitted by Shiv Kumar Bhardwaj in his affidavit.

Consequently I hold that Nav Tej Sharma sole proprietor of M/s. Tej Medicos, Jahangir Puri is responsible for the storage and sale of adultrated killer brew under the guise or Ayurvedic Drug "Karpoor Asav".

Shri Subhash Chander Son of Shri Bhagwan Dass Proprietor of Subhash Provision Store, Shop No. B-20, J.J. Colony, Chaukhandi, Delhi.

The material against Subhash Chander is furnished by affidavits numbers 11, 12, 13 and 15 deposed to respectively by Ramesh Chand, Pannalal, Ram Saroop and Khushal Chand all residents of J.J. Colony, Chaukhandi, Delhi where Subhash Chand has his provision store. Ramesh Chand in his affidavit No. 11 has deposed that on 7-11-91 at 10.30 a.m. one Rakesh Kumar son of Bansilal resident of J.J Colony, Chaukhandi, Delhi was vomiting profusely at his house and on an inquiry from him he told this deponent that he had purchased Sura from the provision store of Subhash Chand of the same colony on 5-11-91 and 6-11-91. Ramesh Chand rang up the police control room and thereafter he was immediately removed to the Deen Dayal Upadhyay

Hospital by the police and there Rakesh Kumar died of having consumed sura purchased from the shop of Subhash Chand.

Affidavit No. 12 of Pannalal shows that he purchased a quarter bottle of sura on 6-11-91 from the provision shop of Subhash for a price of Rs. 7/- and consumed the same at his house where upon he felt headache and started vomiting and became unconcious and on the next morning went to Deen Dayal Upadhyay Hospital for check-up. He has further stated in his affidavit that he can identify Subhash, though he did not know his address. He has also stated that he suffered the aforesaid sickness on account of having consumed sura purchased from the shop of Subhash.

Affidavit No. 13 deposed by Ram Saroop also shows the purchase of a quarter of sura by the deponent Ram Saroop on 6-11-91 from the provision shop of the said Subhash for a price of Rs. 7/- and his having consumed the same at his house, as a result of which he started vomiting on the same evening or the next morning. He has further deposed that he started vomiting again where upon his nephew took him to Deen Dayal Upadhyay Hospital. Subhash is well known to this witness.

Affidavit No. 15 deposed by Khushal Chand speaks of another death as a result of consumption of sura having been purchased from the shop of the said Subhash. The person who died is Kishan Lal brother of the deponent Khushal Chand. According to this affidavit Khushal Chand has deposed that his brother Kishan Lal puchased a quarter bottle of sura from the shop of Subhash and consumed it and went to sleep. He also stated that on 6-11-91 he himself purchased a quarter bottle of sura from the same shop and consumed it and that on 7-11-91 he and his brother Kishan Lal started vomiting whereupon he got Kishan Lal admitted in Deen Dayal Upadhyay Hospital where Kishan Lal died on the next day i.e. 8-11-91. Khushal Chand's affidavit further shows that he himself was also got admitted in the same hospital on 8-11-91 by his brother-in-law Bhushan Malhotra. According to him he suffered while his brother Kishan Lal died on account of having consumed sura purchased by them from the shop of Subhash.

All these witnesses were subjected to cross examination by Mr. D.D. Sharma, Counsel for Subhash.

Subhash produced as many as four affidavits DW-19 to DW-22 in defence. Affidavit DW-19 is deposed to by Subhash whereas the remaining affidavits DW-20 to DW-22 are deposed to by Mohd. Sheriff, Thakur Dass and Shingara Singh Lambardar. Mohd. Sheriff and Thakur Dass are residents of DDA Colony, Chaukhandi whereas Shingara Singh Lambardar is a resident of J.J. Colony, Chaukhandi. According to the affidavit of Subhash, Subhash is running a kiryana shop in his house bearing No. B-20, J.J. Colony, Chaukhandi, Delhi since the year 1980 and deals in kiryana goods only till date and has never dealt in any kind of liquor, drugs or ayurvedic medicines up till

now and that he and his wife used to sell kiryana goods in this shop. He has further asserted in this affidavit that he has been implicated in this 'Sura Kand' cases only at the instance of bad elements of the locality who had either some grudge against him or might have thought to blackmail him. All other affidavits filed by Subhash in defence also make the same assertions.

The affidavits which have spoken against Subhash cannot be disbelieved especially for the reason that two of these affidavits—one sworn by Ramesh Chand PW-11 and other by Khushal Chand PW-15—talk of two persons having died as a result of having consumed sura purchased from the shop of Subhash, and more so when Kishan Lal who died happened to be brother of Khushal Chand and Khushal Chand had also purchased a quarter bottle of sura from the shop of Subhash. All the four witnesses speaking against Subhash were subjected to considerable cross examination but the same cannot displace the truth asserted in and established by their affidavits. Even though Ram Saroop PW-13 stated in his cross examination that once Subhash came to him in Janakpuri to which place he had shifted for his residence only for about a year but before and after and even before Diwali last he had been residing in J.J. Colony, Chaukhandi, and demanded from him a sum of Rs. 1600/- alleging the same as unpaid price of commodities purchased by him from him (Subhash) on credit, but he told him that he (this witness) owed to him only a sum of Rs. 500/- and that he has not paid that sum of Rs. 500/- uptill now. He denied the suggestion as wrong that he was deposing falsely against Subhash simply for the reason that he owed to Subhash the credit amount of Rs. 1600/-. Even if the testimony of this witness is not believed on account of the aforesaid alleged credit amount still outstanding against him, the statements of other three witnesses in their affidavits cannot be disbelieved.

In view of the above discussion I find that Subhash Chander running a provision store in his shop bearing No. B-20, J.J. Colony, Chaukhandi, Delhi is responsible for the storage and sale of the killer adulterated/spurious brew.

Rambharose S/o Champat Lal resident of T-510 C-53, Baljit Nagar, Delhi.

The evidence against Rambharose is furnished by Mahesh Dass resident of T-590, Baljit Nagar, Delhi in his affidavit No. 96. Wherein he has deposed that on 6-11-91 he purchased Ayurvedic Tonic 'Sanjivini Asav' from the shop of Rambharose in Baljit Nagar and after cosuming the same he started feeling giddy and losing eyesight and was removed to the hospital in a police vehicle by one K.L. Sethi at the instance of local police after announcement was made by local police against the killer brew. In the hospital he was given treatment in time and was thus saved.

Rambharose was given an opportunity to cross examine Mahesh Dass PW-96 and Mahesh Dass was subjected to cross examination. Rambharose file two affidavits— one deposed to by himself and the other by Ashok Kumar. These affidavits are DW-9 and DW-10 respectively.

The Commission is concerned with the killer Sura i.e. Karpoor Asav and not with any other brand of sura. In this case what allegedly caused sickness to Mahesh Dass was the consumption of Ayurvedic Tonic 'Sanjivini Asav'. Enmity is alleged between Mahesh Dass and Rambharose in the cross examination of Mahesh Dass PW-96 as well as in the two affidavits filed in defence by Rambharose, and the enmity alleged is that Mahesh Dass carried out repairs in the house of Rambharose some time prior to Diwali in 1991 and as the repair done was faulty inasmuch as there was no smooth flow of water on the roof of his house after repairs, there ensued a quarrel between them and abuses were also exchanged. It is asserted that on account of this enmity Rambharose has been falsely involved by Mahesh Dass who admittedly received compensation to the tune of Rs. 5,000/- from the government in this tragedy. But he denied the suggestion that he had given this false affidavit and had falsely pretended sickness on account of consuming Sanjivini Asav in view of compensation announced by the government and that he had not purchased any such ayurvedic medicine from the shop of Rambharose. In his statement Mahesh Dass has also stated that when he purchased 'Sanjivini Asav' from the shop of Rambharose, Rambharose was not present but his son Nand Kishore aged about 25/26 years was present. He denied the suggestion as wrong that Rambharose has no son known as Nand Kishore. He did not know if the names of all the four sons of Rambharose were Surajpal, Satpal, Prempal and Ashok. He also conceded in his cross examination that no servant worked on the shop of Rambharose. The aforesaid enmity is also deposed to by Rambharose as DW-9 and he has also particularly stated that he has four sons but none of them is Nand Kishore. Rambharose as well as his witness Ashok Kumar DW-10 have deposed that Rambharose has never sold any ayurvedic medicine such as Sanjivini Asav or any other illicit liquor or Karpoor Asav nor has he ever dealt in the same. Rambharose further denied that he knew any Mahesh Dass or any such person ever purchased Sanjivini Asav from him or Mahesh Dass complained to him that his eyesight had been affected or he was feeling giddy on account of having consumed Sanjivini Asav purchased by him from his shop on 6-11-91 and was consequently hospitalised for that reason. Ashok Kumar has been going to a Dhaba situated opposite to the house of Rambharose in Baljit Nagar for taking meals and then he had the occasion to meet Rambharose and sometimes he had been purchasing pulses etc. from his shop but he never found him selling illicit liquor or any other ayurvedic medicine such as 'Sanjivini Asav' or 'Karpoor Asav' nor has he ever seen any person purchasing anything like this from the shop of Rambharose and further that noboby

told him that Rambharose dealt in such like things, even though he had known Rambharose for the last one year. He does not know any Mahesh Dass resident of Baljit Nagar. He is no relation of Rambharose but admits that they have affection towards each other. In view of the killer brew 'Karpoor Asav' not being the item of consumption by Mahesh Dass and other factors mentioned above also being there, I do not find Rambharose responsible for the storage or the sale of Karpoor Asav/ killer adulterated brew.

Bhagat Ram sole Proprietor of M/s Bansal Ayurvedic Stores, 16/517(ii) Bapa Nagar, Arya Samaj Road, Karol Bagh, New Delhi.

The material against Bhagat Ram sole Proprietor of M/s Bansal Ayurvedic Stores finds mention, in the cross examination of PW-67 Ajit Singh SHO P.S. Prasad Nagar, Central District, Delhi as also in the cross examination of PW-69 Mr. P.R. Meena DCP (Central District), Delhi. SHO Ajit Singh while under cross examination by the counsel for Excise Department, Ghaziabad (U.P.) stated that four persons had died in the area P.S. Prasad Nagar, Delhi and from their houses empty bottles bearing labels of 'Karpoor Asav' of 'Karnal Pharmacy, Ghaziabad' were recovered and on those bottles the labels bore in print batch No. 114 of 91. Thereafter in reply to questions by the Commission this witness named M/s Bansal Ayurvedic Stores, 16/517(ii) Bapa Nagar, Arya Samaj Road, Karol Bagh, New Delhi as one of the four shops from where the deceased persons had purchased Sura and had consumed the same and this was disclosed to him by the relations of the deceased persons.

This witness was subjected to cross examination by Bhagat Ram sole proprietor of M/s Bansal Ayurvedic Stores wherein he stated that when the search of this shop was effected by the police, its proprietor Bhagat Ram was not present but he (this witness) was present at the time of that search as he was heading the police search party and during the search three quarter bottles of Karpoor Asav were recovered from the said shop besides some other quarter bottles of ayurvedic medicines. He denied as incorrect the suggestion that no bottles of Karpoor Asav were recovered from this shop. In reply to questions by the Commission this witness stated that it was the wife of Vijay Kumar (deceased) who told him that her husband had purchased the killer Sura from the shop of M/s Bansal Ayurvedic Stores, Bapa Nagar, New Delhi and that he had consumed the same and died as a result thereof. He further stated that the aforesaid search of the shop was effected by the police team headed by him on 7-11-91 in the evening. Thereafter Bhagat Ram resumed his cross examination on this witness wherein this witness denied as incorrect the suggestion that this shop had been lying closed during three days immediately preceding last Diwali and also on Diwali day.

DCP (Central District), Delhi P. R. Meena stated in his cross examination by the counsel for Amrish Bhatnagar, that as many as 21 persons within the area of his jurisdiction were affected by consuming Karpoor Asav and other brands of Sura and nine quarter bottles of Karpoor Asav were seized from two shops viz. M/s Bansal Ayurvedic Stores and M/s. Goel Ayurvedic Stores in the area of Prasad Nagar on 7-11-91 and that there were two persons who were affected by the consumption of 'Karpoor Asav' and they named these medical stores from where they had purchased this Sura but he was not aware which patient had named which store.

Mr. Meena, DCP was subjected to cross examination by Bhagat Ram Proprietor of M/s Bansal Ayurvedic Stores whereupon Mr. Meena denied the suggestion as incorrect that two quarter bottles of Karpoor Asav were recovered from the premises of M/s Bansal Ayurvedic Stores during the search of the said premises on 7-11-91 by the local police headed by S.H.O. Ajit Singh and that six quarter bottles of Karpoor Asav were recovered from the premises of M/s Bansal Ayurvedic Stores and three quarter bottles of Karpoor Asav were recovered from M/s Goel Ayurvedic Stores proprietor of which was Ashok Goel.

A mistake had been made by S.H.O. Ajit Singh PW-67 in his cross examination by Bhagat Ram on 17-6-92 wherein he had stated that during the search by police party headed by him three quarter bottles of Karpoor Asav were recovered from M/s Bansal Ayurvedic Stores, and this mistake he subsequently corrected in his statement recorded on the next date i.e. 18-6-92 wherein he stated about the above mentioned mistake which had been committed by him out of sheer mistake only accidentally and he corrected the same by deposing that the number of bottles of Karpoor Asav recovered from the said shop was six and not three. This corrected number of recovered bottles tallies with the number stated by DCP, Mr. Meena in his cross examination by Bhagat Ram.

In defence Bhagat Ram Proprietor of M/s Bansal Ayurvedic Stores has examined three witnesses including himself and they are DW-49 Rajinder, DW-50 Sauji Ram and himself as DW-51 and all of them have deposed that in the shop M/s Bansal Ayurvedic Stores Bhagat Ram is the proprietor. Mr. Bhagat Ram has stated that he never dealt in Sura or Karpoor Asav and on 7-11-1991 his shop was searched by the police in his absence but nothing incriminating in the form of illicit Sura in the garb of Karpoor Asav was recovered from his shop. He conceded that the police had no enemity with him. On his cross examination by Mr. A. P. Ahluwalia, counsel for Delhi Police he asserted that he had closed his shop for three days prior to Diwali as he fell sick but he admitted that his children also sat on this shop. He denied this suggestion as incorrect that killer Sura was recovered from his shop by the police and that he was deposing falsely in order to save himself from punishment.

Rajinder DW-49 has deposed that the premises of M/s Bansal Ayurvedic Stores was situated opposite to his house and that one or two days after Diwali last three/ four police persons came there but no quarter bottles of Sura were recovered from M/s Bansal Ayurvedic Stores and not even caps of such bottles and that Bhagat Ram was not present at that time. According to him Bhagat Ram carries on the business of ayurvedic medicines and grocery items in this shop. He has not deposed that Bhagat Ram does not keep for sale Karpoor Asav in this shop and consequently his statement is not of much support in favour of Bhagat Ram. In his cross examination by Mr. Ahluwalia counsel for Delhi Police this witness stated that police came to the shop of Bhagat Ram at about 10-11 a.m. for searching this shop and he denied the suggestions as incorrect that no search took place in the day time as deposed to by him and that the search had taken place in the evening when killer Sura bottles were recovered from there. He also denied as incorrect that he was deposing falsely being the neighbour of Bhagat Ram.

The statement of Sauji Ram DW-50 is also almost similar to that of Rajinder with the difference that Sauji Ram stated that he had never seen Bhagat Ram dealing in illicit liquor under the guise of Ayurvedic medicines including Karpoor Asav. He too, in his cross examination, stated that the search of Bhagat Ram's shop by the police had taken place at 10 a.m. and denied the suggestion that the search had taken place in the evening and six quarter bottles of Karpoor Asav had been recovered therefrom as a result of that search. According to him his house is situated opposite to the shop of Bhagat Ram.

Considering the entire evidence referred to above it looks very difficult to disbelieve the material available against Bhagat Ram Proprietor of M/s Bansal Ayurvedic Stores and more so in view of the recovery of quarter bottles of the killer Karpoor Asav from his shop as a result of the search conducted there by the police party headed by SHO Ajit Singh and death of a person occuring on account of having cosumed the killer Sura purchased from this shop as stated by DCP, Mr. Meena. The defence witnesses appear to be interested in the safety of their neighbour Bhagat Ram and do not appear to be true witnesses regarding his not selling or dealing in killer Sura in the guise of ayurvedic medicine 'Karpoor Asav' as also in respect of the time of police search of this shop as well as the factum of recovery of six quarter bottles of the killer Sura from his shop.

For the reasons stated above I am of the view that Bhagat Ram sole Proprietor of M/s Bansal Ayurvedic Stores, 16/517 (ii), Bapa Nagar, Arya Samaj Road, Karol Bagh, New Delhi, was responsible for the storage and sale of the killer Sura in the guise of ayurvedic medicine Karpoor Asav, and hold the same accordingly.

Ram Sarup and Brij Mohan alias Birju

The material against these two persons is found in affidavits Nos. 2 to 7. Affidavit No. 2 is deposed to by Man Singh resident of Village Haiderpur and it shows that two persons, namely, Rati Ram and his son Radhey Sham, resident of Village Haiderpur died due to consumption of Sura on 6th and 7th November, 1991 respectively. It is further stated in this affidavit that the aforesaid Sura was being sold in Gali No. 6, Ambedkar Nagar, Haiderpur, Delhi by two persons, namely, Ram Sarup and Birju. Ved Ram in his affidavit No. 3 has deposed that he is one of the victims of Sura consumed by him on 5-11-91 and that he purchased it from the shop of Ram Sarup. He further stated that this Sura was being sold in Gali No. 6, Ambedkar Nagar, Haiderpur, Delhi by two persons, namely, Ram Sarup and Birju. Affidavit No. 4 is of Mrs. Munaki and according to her, her husband Jug Lal died due to consumption of Sura on 6-11-91 and that this Sura was being sold in Gali No. 6, Ambedkar Nagar, Haiderpur, Delhi, and that her husband had purchased it from the shop of Birju situated in Gali No. 6. Smt. Pushpa is the deponent of affidavit No. 5 wherein she has deposed that her husband's brother Ganga Ram alias Iqbal Singh, a driver by profession died due to consumption of Sura on 6-11-91. She further stated that the aforesaid Sura was being sold in Gali No. 6, Ambedkar Nagar, Haiderpur, Delhi. She however did not name the shopkeepers selling Sura in Gali No. 6 and thus her affidavit is silent in respect of Ram Sarup and Birju. In his affidavit No. 6 Phool Chand has talked of the deaths of his co-villagers Rati Ram and his son Radhey Sham due to consuming of Sura on 6th and 7th November, 1991 respectively. In this affidavit he also spoke of two other persons Vijay and Gopi, resident of Gali No. 6, Ambedkar Nagar, Haiderpur, Delhi who also consumed Sura, but their wareabouts have remained unknown. He also spoke about the death of Ganga Ram alias Iqbal Singh, resident of Haiderpur having died due to consumption of Sura on 6-11-91. He then deposed in this affidavit that the aforesaid Sura was being sold at every Chemist shop in the locality as well as in the two retail shops in Gali No. 6, Ambedkar Nagar, Haiderpur, Delhi by two persons, namely, Ram Sarup and Birju. Smt. Meena deponent of affidavit No. 7 is the daughter-in-law of Rati Ram who died on 6-11-91 and the wife of Radhey Sham on 7-11-91, because of consuming Sura purchased from Ram Sarup and that the aforesaid Sura was being sold in Gali No. 6, Ambedkar Nagar, Haiderpur.

Now, their cross-examination is to be seen wherein some of them have made startling disclosures. It would be noted that in their affidavits all of them have also deposed that the sale of Sura in Gali No. 6 was being carried on by Ram Sarup and Birju under the protection of S. I. Baldhar Singh of P. S. Shalimar, Delhi. In cross examination Man Singh P. W. 2 conceded that Rati Ram and Radhey Sham did not purchase Sura which killed them in his presence and that Birju used to

keep Sura bottles behind the gunny bags and that the shop of Birju was at a distance of 300/400 yards from his house and there were Kiryana Shops between his house and the shop of Birju and had he been purchasing commodities from the shop of Birju also. This was the cross examination on this witness by the Counsel for Birju. During his cross examination by Ram Sarup, this witness stated that the shop of Ram Sarup in Gali No. 6 was a Kiryana shop and that he had seen people purchasing Sura from this shop, even though he never purchased any commodity from his shop. He is known to Ram Sarup for the last about 2/3 years and had been seeing the aforesaid Kiryana shop for the last about six months (His statement was recorded on 10-2-1992).

Ved Ram P.W.-3 was not subjected to cross examination by Ram Sarup of Birju. He was, however, cross examined by Mr. A. P. Ahluwalia, Counsel for Delhi Police wherein Ved Ram stated that he was not read in any English and that he was taken by Phool Chand to Tis Hazari Courts and that the other witnesses, namely, Man Singh, Smt. Munaki, Smt. Pushpa and Smt. Meena were also taken by Phool Chand to the courts and their affidavits were got prepared and signed by him from them and even stamp papers for these affidavits were purchased by him but none of them was taken to the Oath Commissioner at the time of attestation of these affidavits. He, further, stated that the contents of his affidavit were not read over to him by any one. He then stated that Phool Chand was the leader of Bahujan Samaj Party but did not know abuot Man Singh. He then stated that the Sura which he consumed was given by one Om Prakash but he did not know from where. He also deviated from his affidavit by stating that he had never seen sale of Sura in Gali No. 6, Ambedkar Nagar, Haiderpur, Delhi. It was obviously on account of his deviation from his affidavit in the cross-examination by Mr. A. P. Ahluwalia that the Counsel for Ram Sarup and Brij Mohan has not cross examined him any further.

Smt. Munaki, P.W.-4 widow of Jug Lal, deceased deviated from her affidavit by stating that she did not know anything about the contents of her affidavit and nobody read out or explained the same to her and that it was not within her knowledge that any Sura was being sold with the police protection or connivance. She also stated that she was taken by Phool Chand to courts where she thumb marked this affidavit and that Man Singh, Ved Ram, Meena and Pushpa were also taken by Phool Chand to the court and that the affidavits of all of them were got typed who had purchased the stamp papers for the same and that those affidavits were got attested by him.

Smt. Pushpa P.W.-5 took a somersault by stating in her examination-in-chief itself that affidavit No. 5 bearing her thumb impression contained total falsehood. In her cross examination by Mr. A.P. Ahluwalia, Counsel for Delhi Police she stated her thumb impression on this affidavit was affixed at her residence by Phool Chand by telling her to pay him a sum of Rs. 200/- and in return he would get her a sum of

Rs. 10,000/- with which she could pass the rest of her life peacefully. In the face of her aforesaid replied the counsel for Ram Sarup and Brij Mohan opted not to cross examine her any further.

Phool Chand P.W.-6 in his cross-examination by Mr. Ahluwalia, Counsel for Delhi Police, stated that the paper for all these affidavits were purchased by Man Singh in Tis Hazari Courts for filing affidavits before the Commission and that he (Phool Chand) got his own affidavit types first and then got it attested and then went away while the other affidavits were not typed in his presence though they had come together in a bus from Haiderpur on that day. He denied the suggestion as wrong that Smt. Pushpa and Smt. Meena never went to Tis Hazari Courts or that their signatures or thumb impressions were obtained on plain papers at their residences at Village Ambedkar Nagar or that their signatures/thumb impressions were obtained by him by telling them that he would help them in getting compensation from the Government. He further stated that he had told them that the affidavits were in respect of deaths which had taken place in their families on account of consuming Sura.

Witness Phool Chand P.W.-6 while under cross-examination by the Counsel for Birju, stated that when his affidavit was attested by the Oath Commissioner, he was present before him and he signed before the Oath Commissioner and that his affidavit was typed out by the typist on the instructions which were given in Hindi. He then stated that he never saw Rati Ram and Radhey Sham purchasing Sura from the shop of Birju but added that when they were cremated in the Village thousands of persons had gathered there and from amongst them a number of persons were saying that they had died on account of consuming Sura. He also conceded that he never saw with his own eyes Birju selling Sura but the people told him about that. He denied the suggestion that he had given a false affidavit. He was, however, not cross examined by Ram Sarup.

Smt. Meena P.W.-7 deponent of affidavit No. 7 took the somersault from her affidavit in her cross-examination by Mr. A.P. Ahluwalia, Counsel for Delhi Police by stating that her signatures on her affidavit were obtained by Phool Chand at her house and not in courts and that he had brought the paper of the affidavit in blank to her when she was made to sign it and it was not got typed in her presence nor was it shown to her after having been typed out. She further stated that she was not aware about the contents of this affidavit and that Phool Chand had told her that on account of her signing this paper he would get her compensation from the Government. She further stated that expenses of this paper were borne by Phool Chand and not by her. Regarding sale of Sura in Gali No. 6, she denied the same. It would thus be seen from the aforesaid cross-examination that Smt. Munaki, Smt. Pushpa and Smt. Meena took a complete somersault from their affidavits by denying the contents thereof and Smt.

Pushpa even went to the extent of assertaing the falsehood of all the contents of her affidavit. Ved Ram never saw Sura being sold in Gali No. 6 and Sura was brought for him by one Om Prakash but does not know from where he brought it. With the exception of Smt. Pushpa all other above mentioned accepted the correctness of their respective affidavits bearing their signatures in their examination-in-chief. It is very difficult to believe that any of them was made to sign a blank paper at the residence, as that runs totally contradictory to the practice of the Oath Commissioners who attest the affidavits. The statements of these witness that they did not know the contents of these affidavits or that the same were not read out or explained to them or that their contents were false, do not sound well to the reason in the face of the contents of their affidavits. What appear is that all these persons had made allegations in their affidavits that Sura was being sold in Gali No. 6, by Ram Sarup and Birju under the protection of S.I. Baldhar Singh of P. S. Shalimar for which reason they appear to have deviated from their affidavits under pressure from the aforesaid police officer. It is a matter of common knowledge that when anybody sells anything objectionable in a Gali (Lane) in a village, the same is well known to every one including ladies and grown up children and in that view of the matter the affidavits of these ladies appear to be correct on the point of Sura being sold in Gali No. 6 of Ambedkar Nagar, Village Haiderpur. Anyhow Man Singh and Phool Chand P. Ws. had stuck to their affidavits regarding the sale of Sura by Ram Sarup and Birju in Gali No. 6, the truthfulness of which appears to be borne out from Phool Chand's reply in cross-examination by the Counsel for Birju that he never saw with his own eyes Birju selling Sura but the people told him so. If he wanted, he could easily reply that he had been seeing with his own eyes Birju selling Sura. Ved Ram also does not appear to be true when he stated that he had never seen Sura being sold in Gali No. 6 after admitting in his examination-in-chief the correctness of his affidavit on seeing the same. All these witnesses are residents of Ambedkar Nagar, Village Haiderpur and could not be unaware of the sale of Sura in Gali No. 6 by Ram Sarup and Birju.

The truthfulness of these affidavits stands convincingly established from the cross-examination of Mr. R. Narayana P.W. 47, Excise Commissioner, Delhi wherein he talks of three cases pertaining to Karpoor Asav and of those, third case mentioned by him is as under :—

> "Shop No. 2, Gali No. 6, Ambedkar Nagar, Haiderpur, Delhi dated 8-5-91 FIR No. 100/91 of P.S. Shalimar Bagh, Delhi."

In defence Ram Sarup filed three affidavits including his own and the same are D.W. 10, D.W. 11 and D.W. 12 and the same are deposed to by Ram Sarup himself, Mouji Ram and Suresh respectively and in all these affidavits they have stated that Ram Sarup is running his Kabari Shop in Gali No. 6, Haiderpur, Delhi and that he

never sold illicit liquor or Sura and an additional plea has been taken by Ram Sarup in his own affidavit wherein he has deposed that he purchased one plot in the name of his wife Smt. Shanti Devi through Ved Ram who demanded huge commission upon which he (Ram Sarup) refused to pay excess amount of commission and paid the same @ 2% and due to this reason having grudge with him he threatened at that time that he would see to him and now the said Ved Ram, with the connivance of Phool Chand and Man Singh has given affidavit before this Commission. The statement of Ram Sarup D.W. 10 was also recorded on oath by the Commission wherein he took a different plea from the above mentioned plea of his affidavit, by stating that he and Ved Ram were instrumental as brokers for the transaction of sale of a plot in Ambedkar Nagar and the brokerage amounting to Rs. 2000/- was to be shared equally between them but Ved Ram did not pay him any amount out of the same and kept to himself entire amount of Rs. 2000/- and when he went to Ved Ram to demand his share, Ved Ram quarrelled with him but he did not quarrel with Ved Ram and that uptill then Ved Ram had not paid his share to him. The aforesaid two pleas, one taken in his affidavit and the other in his oral statement before the Commission, are quite contradictory to each other and this fact goes to prove the falsity of the same. For these pleas Ved Ram has been alleged as inimical towards him. If Ved Ram did not pay to Ram Sarup half share out of the commission, amount of Rs. 2,000/- and also quarreled with Ram Sarup and Ram Sarup did not quarrel with him, there could be no grudge on the part of Ved Ram to file affidavit against Ram Sarup. Thus, the defence looks false in its entirety.

Brij Mohan alias Birju did not care to produce any defence, even though he was served for 28-5-92 by the Commission for producing his defence on that day but he did not turn up for which reason his defence was closed vide order dated 28-5-92.

In view of the aforesaid discussion, I hold that Ram Sarup and Birju are responsible for the storage and sale of the killer brew at their respective shops in Gali No. 6, Ambedkar Nagar, Village Haiderpur, Delhi.

Duli Chand S/o Om Prakash R/o Village Burari (in the area of P.S. Timarpur) Delhi.

The evidence against Duli Chand, Chemist of Village Burari finds mention in two affidavits i.e. Affidavit No. 62 deposed by Shri Bhimsain Bassi, DCP (North Distt.), Delhi Police and Affidavit No. 85 of Shri Ramesh Chander Saini, SHO Timarpur, Delhi Police. The affidavit of Shri Bassi shows that the case FIR No. 286/91 dated 5-11-91 of P.S. Timarpur was registered, on receipt of information about the death

of one Banwarilal S/o Piareylal, R/o House No. 112-A, E-Block, Baba Colony, Sant Nagar, Delhi as a result of consumption of Sura. Four empty bottles with a few drops therein and a glass with liquid was produced by Smt. Anita wife of the deceased and the same were sent separately to expert for chemical examination and the result of the chemical examination revealed that the said liquid contained Methyl Alcohol. The labels on the said bottles showed that those bottles contained an ayurvedic preparation called 'Karpoorasav' manufactured by M/s Karnal Pharmacy (Regd.), Ghaziabad, U.P. with Batch No. 114. Duli Chand from whose chemist shop the said bottles of 'Karpoorasav' had been procured was arrested on 7-11-91. These very facts are also asserted in Affidavit No. 85 of SHO Timarpur, Ramesh Chander Saini who has further deposed that the investigation of the aforesaid case revealed that the chemist from whose shop the deceased had obtained 'Karpoor Asav' had procured the supply of those bottles on 4-11-91.

Duli Chand stated on 20-5-92 before the Commission that he did not want to cross-examine PW 62 Bhimsain Bassi, DCP. He was not present on 27-2-92 to cross-examine Ramesh Chander Saini, SHO PW 85. So both these witnesses speaking against Duli Chand were not subjected to cross-examination by Duli Chand.

In defence Duli Chand submitted five affidavits including his own and which are DW 31 to DW 35 wherein they have stated that Duli Chand is a government servant (Pharmacist). His Identity Card issued by Health Services, Delhi Administration together with his photograph embossed thereon has been filed by Duli Chand alongwith his own affidavit. In his affidavit Duli Chand has further deposed that he had no concern with the Janta Medical Store, Burari on the date of the occurrence and that nothing incriminating was recovered either from Janta Medical Store or from his residence in village Burari and that the police has fabricated & concocted a false case against him for ulterior motives. Manju Gupta deponent of affidavit DW 32 stated that Sura was never sold at Janta Medical Store on the alleged date of occurrence and that the police could not recover any incriminatings ubstance from there and that Duli Chand was not present in village Burari or in Janta Medical Store and was falsely implicated in this case by the police of P.S. Timarpur, Delhi. Darshan Tyagi deponent of Affidavit DW 33 stated that no recovery had been made from Duli Chand's house and that Duli Chand had been falsely implicated by the police in this case for ulterior motives. In Affidavit DW34 the deponent Onkar Singh Tyagi has deposed that Duli Chand is a tenant in his house in village Burari for the last 3½ years and that Duli Chand and his wife were out of Delhi since the morning of 5-11-91 to the evening of 7-11-91 and the police of P. S. Timarpur conducted raid in the said house on 6th/7th November, 1991 in the absence of Duli Chand but nothing incriminating had been recovered therefrom and that the case against Duli Chand has been fabricated by the police. Hari Ram Gupta deponent of Affidavit DW35 is the elder brother of

Duli Chand and according to his affidavit Duli Chand and his wife visited him at his residence in Karnal (Haryana) on 5-11-91 at 9 A.M. to celebrate Diwali fastival and returned to Delhi on 7-11-91 after staying with him for two days and as such question of selling of Sura by Duli Chand on 5-11-91 did not arise. Manju Gupta deponent of Affidavit DW 32 had described herself in her affidavit as resident of Janta Medical Store, Burari and has also deposed that she is a registered pharmacist from Delhi Pharmacy Council having Registration No. 6962 and has been working as such on the said store since 7-5-91 and Duli Chand has no concern with Janta Medical Store.

During the course of arguments Duli Chand submitted that Sushila Gupta was the Proprietor of Janta Medical Store but it was being run by Manju Gupta cousin of Sushila Gupta, but this fact has not been mentioned in another affidavit, nor affidavit of Sushila Gupta has been filed by Duli Chand and even affidavit DW 32 of Manju Gupta does make mention of Smt. Sushila Gupta being the Proprietor of Janta Medical Store. No enmity with the police of Duli Chand has been mentioned in any of the affidavits filed by Duli Chand and only an ulterior motive is alleged in the affidavit of Duli Chand alone but even therein no particulars thereof have been set out.

In his cross examination by the counsel for Satpal Sethi, SHO R. C. Saini stated that Banwarilal had purchased 'Karpoor Asav' from the shop of Duli Chand on 5-11-91, as revealed from investigation and this they learned from Smt. Anita and her son and brother of Banwarilal. He further stated that in fact it was purchased not by Banwarilal but by his son Raju and brother Suresh for Banwarilal. He then revealed a very significant factor by stating that Raju and Suresh had led the police party to the shop of Duli Chand and pointed out Duli Chand from whom they had purchased the killer Sura and they did this on 7-11-91 not in his presence but in the presence of the investigating officer ASI Brahm Dutt.

Consequently in view of the above discussion it is difficult to disbelieve Mr. Bhimsain Bassi, DCP (North Distt.) Delhi as well as Ramesh Chander Saini, SHO, Timarpur and so I hold that Duli Chand running a chemist shop in village Burari, Delhi was responsible for storage and selling of the killer Sura.

Surender Singh Bedi

The material against Surender Singh Bedi is mentioned in the cross-examination of Mr. Satish Chandra, DCP (West), Delhi PW 57 by Mr. P. P. Grover counsel for Rajiv Sapra and Naresh Bhardwaj and the perusal thereof shows that DCP Satish Chandra stated that in the challan in respect of FIR No. 766/91 P.S. Tilak Nagar dated 9-11-91, he had seen the disclosure statement of Harjinder Singh according to which he purchased Sura from Pankaj Bhatia and Surender Singh Bedi. This witness further stated that he had also seen another challan in respect of FIR No. 770/91 P. S. Tilak Nagar, Delhi wherein there was a disclosure statement of one Ram Rattan according

to which he purchased Sura from Surender Singh Bedi. He further stated that Surender Singh Bedi was arrested and interogated and during interogation he disclosed that he had procured the supply of said Sura from Naresh Bhardwaj. This witness also stated that this confessional disclosure lead to recovery of Sura bottles. The cross-examination of this witness further shows that Harjinder Singh further disclosed that he had purchased those Sura bottles from Surender Singh Bedi.

This witness was subject to cross-examination by Surender Singh Bedi in person who happened to be in judicial custody and in that cross-examination DCP Satish Chandra denied the suggestions put to him by Surender Singh Bedi as wrong and these suggestions were that Harjinder Singh and Ram Rattan had falsely involved him in their alleged disclosure statements that they had purchased Sura from Surender Singh Bedi, and that they did not make any such disclosure statement and that Sura bottles were not purchased by Harjinder Singh from Surender Singh Bedi or that he did not make any such disclosure statement and that Surender Singh Bedi did not know any of these three persons and hence he did not sell sura.

Surender Singh Bedi examined only himself as DW 38 in defence and no other witness and in his statement he denied that he ever dealt in or sold illicit liquor or Sura to anybody or that he owned or had taken on rent any shop. He also stated that he had never sold Sura to Harjinder Singh or Ram Rattan and he did not know any Ram Rattan though he knew Harjinder Singh because he run a chemist shop where from he had been purchasing alopathic medicines for fever etc. Surender Singh Bedi also stated that he did not know any Naresh Bhardwaj nor did he (Naresh Bhardwaj) supply any Sura to him, though he admitted that the police did interogate him but asserted that it was the police who told him to say that he had procured the supply of Sura from Naresh Bhardwaj and it was for that reason and at the instance of the police that he made a statement to the police that he had procured the supply of Sura from Naresh Bhardwaj. He further stated that in fact he had never seen Naresh Bhardwaj and that all the disclosure statements were false. He then deposed that he had been arrested in as many as 11 criminal cases after Diwali last on the allegations of his dealing in Sura and had been bailed out in eight cases he asserted himself. He also stated that he had been plying three-wheeler scooter for the last about four years.

Weighing the aforesaid evidence, the defence of Surender Singh Bedi does not inspire confidence and does not appear to be true. In the face of not one but two disclosure statements of Harjinder Singh in one case and of Ram Rattan in another, both naming Surender Singh Bedi from whom they purchased Sura and then Surender Singh Bedi also making a disclosure statement revealing that he procured the supply of the said Sura from Naresh Bhardwaj, and the consequent recovery of Sura bottles, provide all necessary links against Surender Singh Bedi.

For the aforesaid reasoning I hold Surender Singh Bedi responsible for storing, sale and supply of the adulterated/spurious brew.

REFERENCE TERM NO. 3

Now, I shall proceed to determine the negligence or lapses, if any, of authorities responsible for checking such acts :—

Drug Department of Delhi Administration, Delhi

No licence is required under the Drugs and Cosmetics Act, 1940 (For short Drugs Act) for the sale of Ayurvedic Drugs or medicines irrespective of the fact whether the same contained higher or lower percentage of alcohol and for this reason, it was contended by Mr. S.K. Mahajan, Advocate, Counsel for Drugs Department, Delhi that shopkeepers whether Chemists, Druggists or even petty shopkeepers running provision stores or betel shops had been selling Ayurvedic medicines and consequently it was almost impossible to check the retail vends or Ayurvedic Medicines by the Drug Deptt., and more so when under Rule 162 of the Drugs and Cosmetics Rules, 1945 framed under the Drugs Act, the Drug Inspector was required/mendated by way of his statutory duties to inspect not less than twice a year all premises licenced for manufacture of Ayurvedic (including Siddha or Unani Drugs) within the entire Territory of Delhi (There being only one such Inspector for Ayurvedic and Unani Drugs with Drug Department, Delhi) and to satisfy himself that the conditions of the licence and the provisions of the Drugs Act and the Rules made thereunder were being observed and to send forth to the controlling authority after each inspection a detailed report indicating whether or not the conditions of the licence and the provisions of the Drugs Act and the rules made thereunder were being observed ; and also to take samples af the Drugs manufactured on the premises and send the same for test or analysis in accordance with these rules and to institute prosecutions in respect of violation of this Act and these rules. It was further submitted by Mr. Mahajan that there being only one Drug Inspector on the Ayurvedic and Unani side in the Drugs Deptt., Delhi, the aforesaid duties for him were more than sufficient to engage him completely during the working hours available to him. Mr. Mahajan also submitted that there was no testing laboratory of the Drugs Deptt. and that also added to the problems of the Drug Department. These difficulties shall be kept into view while discussing the negligence/ lapses on the part of the Drug Department in the performance of their statutory duties under the Drugs Act or the said rules.

Section 33-EEC prohibits the manufacture and sale of certain Ayurvedic, Siddha, and Unani Drugs and it is desirable and even necessary to set out the same and the same is reproduced below :—

> "Section 33-EEC :—Prohibition of manufacture for sale of certain Ayurvedic, Siddha and Unani Drugs—From such date as the State Government may, by

notification in the Official Gazette, specify in this behalf, no person, either by himself or by any other person on his behalf, shall—

(a) manufacture for sale or for distribution—

(i) any misbranded, adulterated or spurious Ayurvedie, Siddha or Unani drug;

(ii) any patent or proprietary medicine, unless there is displayed in the prescribed manner on the label or container thereof the true list of all the ingredients contained in it; and

(iii) any Ayurvedic, Siddha or Unani drug in contravention of any of the provisions of this Chapter or any rule made thereunder;

(b) sell, stock or exhibit of offer for sale or distribute any Ayurvedic, Siddha or Unani drug which has been manufactured in contravention of any of the provisions of this Act, or any rule made thereunder;

(c) manufacture for sale or for distribution, any Ayurvedic, Siddha or Unani drug, except under, and in accordance with the conditions of, a licence issued for such purpose under this Chapter by the prescribed authority :

Provided that nothing in this section shall apply to Vaidas and Hakims who manufacture Ayurvedic, Siddha or Unani drug for the use of their own patients :

Provided further that nothing in this section shall apply to the manufacture, subject to the prescribed conditions, of small quantities of any Ayurvedic, Siddha or Unani drug for the purpose of examination, test or analysis".

The bare reading of this provision of Law clearly show that no person, either by himself or by any other person on his behalf is entitled to manufacture for sale or for distribution any adulterated, mis-branded or spurious Ayurvedic Drug, nor can sell, stock or distribute any such Ayurvedic drugs as the manufacturing of the same has been debarred under this very provision of Law. Any person is, however, entitled to manufacture for sale and distribution any Ayurvedic Drug in accordance with the conditions of the licence issued to him under Chapter IV-A of this Act and not beyond what is permitted under the conditions of the licence. It is obvious that misbranded, adulterated or spurious Ayurvedic Drugs cannot be permitted to be manufactured and no licence to manufacture the same can be issued by the authorities concerned.

All provisions including Ss. 22 to 25 of Chapter IV of the Drugs Act have been specifically excluded from their applicability to Ayurvedic Drugs by Sections 33 A of

this Act. By Section 33-H of this Act has made specifically applicable Sections 22 to 25 and the rules, if any made thereunder, to Ayurvedic Drugs, in relation to an Inspector and a Government Analyst. Section 33-H falls in Chapter-IV-A which pertains to Ayurvedic Drugs.

Section 22 of this Act empowers an Inspector to inspect any premises wherein any drug is being manufactured and the means employed for standardising and testing the drug as also any premises where any drug is being sold or stocked or exhibited or offered for sale or distributed and also to take samples of any drug which is being manufactured or being sold or is stocked. This Section further empowers him to enter and search any place in which he has reason to believe that an offence under this Chapter has been or is being committed and to order in writing the person possessing the drug not to dispose of any stock of the same for a certain period or seize the stock of the same for a certain period of such drug. The Inspector is further empowered thereunder to examine any record, register or documents or any other material relating to the manufacture for sale or for distribution, stocking, exhibition for sale, offer for sale or distribution of any drug in respect of which he has reason to believe that an offence under this Chapter has been, or is being committed.

Section 23 prescribes the procedure for inspector where he takes any sample of a drug. Under Section 24 every person for the time being incharge of any premises whereon any drug is being manufactured or is kept for sale or distribution shall, on being required by an Inspector so to do be legally bound to disclose to the inspector the place where the drug is being manufactured or is kept. Section 25 pertains to reports of Government Analysts to whom a sample of any drug has been submitted for test and analysis and this provision of Law makes such a report conclusive evidence of the facts stated therein unless the person from whom the sample was taken has within 28 days of the receipt of a copy of the report notified in writing the inspector or the court before which any proceedings in respect of the sample are pending that he intends to adduce evidence in controversion of the report.

It is an evidence before the Commission that there has been almost NIL vigilance by the Ayurvedic Drug Inspector on the sales of Ayurvedic Medicines. In para No. 11 of his affidavit Dr V.P. Varshney, Director, Health Services, Delhi Administration, holding the additional charge of Drugs Controller (Ayurvedic) has conceded that since no license is required for the sale of ayurvedic medicines under the rules, there was hardly any vigilance by the office of the Drugs Controller over sales of Ayurvedic Medicines. He has also mentioned in the same para that with the lone Drug Inspector (Ayurvedic & Unani) vigilance at the sales establishments level is very difficult. In para no. 12 of his affidavit Dr Varshney has also pointed out that the Drugs Department of Delhi does not have any testing laboratory of its own and facilities of a testing laboratory of Central Government or State Government are being

availed of for testing the medicines and as such the reports from those testing laboratories are received after a long time and the purpose of taking samples is defeated. He has also mentioned that preparations for the creation of a combined Food & Drug Testing Laboratory in Delhi is in the process of being set up by Delhi Administration and is likely to be functional in about one year's time and then the problem of delay in receiving the test reports will be over. According to Mr. Mahajan the Solitary Drug Inspector is required under rule 162 of the Drugs & Cosmetics Rules, 1945 to inspect atleast 200 times the manufacturing units in Delhi once a year and in this process he has to prepare his Inspection Reports, file some complaints arising out of those inspection and to prosecute those complaints in the courts, besides his other routine duties in his office and thus it was almost impossible for him, within the time available to him, also to perform his statutory duties of inspecting the Ayurvedic drug vendors. Mr. Mahajan emphasised that in the very big city of Delhi there were lakhs of such like ayurvedic drug vendors, each locality teaming with them. As already pointed out above from the affidavit no. 1 of Dr. Varshney that there was hardly any vigilance of the Drug Department, Delhi on the sales of ayurvedic drugs, it is now necessary to look to the cross-examination of Dr. Varshney by the Commission in respect of the Drug Inspector's inspection and search of ayurvedic drug vendors and the samples taken by him during the various years, and the same should be set out verbatim and it is reproduced below :—

"In cross-examination by Commission.

Duties of Drug Inspector for Ayurvedic drugs (Including Siddha) are mentioned in rule 162 of Drugs and Cosmetics Rules, 1945 framed under Drugs & Cosmetics Act, 1940. Our department has had only one Drug Inspector for ayurvedic drugs. This rule, however, does not talk of the duties in respect of the sales of ayurvedic drugs. In pursuance of the powers of Inspectors enumerated in Section 22, the Inspector of Drug Department, Delhi did not inspect any premises wherein any ayurvedic drug was being sold or stocked or exhibited or offered for sale, or distributed, nor did he take samples of any such drug being sold or stocked etc. nor did he search any such place. Nor did he examine any record, register or document of any other material in any such place. He has been, however, doing his duties only on receipt of complaints. In 1988-89 he took four samples on a complaint. In 1989-90 he took as many as 11 samples. In 1991-92 he took two samples and in the year 1990-91, he took no sample. These samples he had taken only on receipt of complaints. All these samples were of ayurvedic preparations. The complaints in respect of all these samples were that the ayurvedic preparations out of which they were taken were spurious and sub-standard. In routine also, he took some samples of the ayurvedic preparations out of the samples listed

above. Two such samples were in the year 1988-89 and four in 1989-90. All the above mentioned samples were then sent to the Government Analyst. Only two criminal cases were filed by us in the court".

The aforesaid statement of Dr. Varshney would disclose only a very sordid state of affairs of the Drug Department in respect of its Inspectors/Duties provided u/s 22 of the Drugs Act in respect of the inspections and searches as also of taking samples from the ayurvedic drug vendors and also in respect of examining the record, register, documents or any other material in places of sale of ayurvedic drugs in Delhi. First he said that Drug Inspector who was only one for Ayurvedic drugs in Drugs Department, did not inspect any premises of sale or stocks nor did take any samples of any such drugs being sold or stocked nor did he search any such place, nor examined any record or documents in places of sale, and then he hurried to add that the Drug Inspector had, however, been doing his duties only on receipt of complaints and thereafter he talked of the Drug Inspector's sample lifting during some years only on receipt of complaints, but subsequently and ultimately he added that in routine also the Drug Inspector took some samples of Ayurvedic preparations which were two in the year 1988-89 and four in 1989-90 and those too out of the figures already enumerated by him for the years 1988-89 to 1991-92 about which he had stated that the Drug Inspector took those samples only on receipt of complaints.

The office of the Drug Controller, Delhi submitted to Secretary (Medical), Delhi Administration the report showing the work of the Drug Inspector (Ayurvedic) during the last 3 years viz. 1989-90, 1990-91 and 1991-92 and the details thereof are as under :—

Sl. No.	*1989-90*	*1990-91*	*1991-92*
(a) Number of inspections ayurvedic manufacturing units	101	114	153
(b) Number of samples taken	11	nil	6
(c) Number of sales outlet	nil	nil	nil

The aforesaid data finds mention in para no. 10 of the affidavit of Shri Jalaj Srivastava, Joint Secretary (Medical), Delhi Administration, Delhi. From the above it would be manifestly clear that during the 3 years 1989-90, 1990-91, 1991-92 the Drug Inspector (Ayurvedic) did not inspect any sales establishments eventhough he had inspected as many as 101, 114 and 153 manufacturing units respectively in those years and had taken 11 samples in 1989-90 and 6 samples in 1991-92.

Whatever the reasons and arguments advanced by Mr. Mahajan learned counsel for the Drug Department, Delhi, there is no justification whatever and no exoneration too for the lapses for not inspecting any sale establishments during any of the above

mentioned 3 years by the Drug Inspector (Ayurvedic) Dr. S. K. Sharma of Drugs Department, Delhi who further did not search any such premises nor examined any records or documents kept in those places, as mandated in S. 22 of the Drugs Act. And this is a lapse which encouraged enormously the sale of any types of Ayurvedic drugs and including spurious and adulterated drugs, the manufacturing and sale of which could have been checked and deterred by the Drug Inspector (Ayurvedic) of Drug Department, Delhi by performing his duties U/s 22 of the Drugs Act, eventhough not in respect of all the hundred and thousands of such shops in the entire area of Delhi, being the lone Inspector on Ayurvedic & Unani side, but to some extent at-least which could be appreciably visible so as to serve as a deterrent to all from engaging in the sale of the mis-branded, adulterated and spurious ayurvedic drugs. His Nil inspections and searches of the sale establishments, as already pointed out above, is gross negligence and dereliction of statutory duties on his part, from which there is no escape.

It may be made clear that the statutory duties of the Drug Inspector (Ayurvedic) U/s 22 are to check if the ayurvedic drug is mis-branded, adulterated or spurior and that no person manufactures for sale or sells the same as mandated U/s 33 EEC of the Drugs Act irrespective of fact whether such drugs are 'Intoxicating Spirituous Preparations' having more than or less than 20° proof alcohol or no alcohol at all, and he cannot take shelter or escape under the Delhi Intoxicating Spirituous Preparations, Import, Export, Transport, Possession and Sale Rules, 1952 which have been framed under the Punjab Excise Act, 1914 which has been extended to Delhi. The killer drug in this tragedy contains Methyl alcohol under the guise of an ayurvedic drug known as 'Karpoor Asava' which by itself is innocuous but with mixture of Methyl alcohol therein it become adulterated in view of the definition of 'Adulterated Drugs' as given in S. 33 EE (c) of the Drugs Act according to which an Ayurvedic Drug shall be adulterated if contains any harmful or toxic substance which may render it injurious to health."

By means of the notification No. F. 10(27)/61-Fin. (E) (i) dated 7-12-1961 issued under Section 3 (14) of the Punjab Excise Act, 1914 as extended to Delhi, the then Chief Commissioner of Delhi declared all spirituous preparations containing more than 20° proof alcohol to be liquor for the purpose of Punjab Excise Act.

Rule 24 of the ISP Rules, before its amendment in March, 1987 read as follows :—

"24 These rules shall not apply to the intoxicating spirituous preparations :

(i) imported into India,

(ii) Ayurvedic or Unani Preparations in which alcoholic content is self-generated and not added as such,

(iii) as are considered by the Excise Commissioner from time to time to be incapable of being misused for potable purposes and declared as such by him by issue of notification".

By the amendment through notification no. 10/8/86-Fin. (a) dated 3-3-87 issued under section 58 of the Punjab Excise Act as extended to Delhi, ISP Rules, 1952 were amended and Clause (ii) of Rule 24 was deleted. The said amendment was to come into force w. e. f. 17-3-87 as provided in the said notification. The result of this was that w. e. f. 17-3-87, the ISP Rules became applicable to Ayurvedic and Unani preparations.

So, under rule 1 (g) of ISP Rules, 1952 all spirituous preparations containing more than 20° proof alcohol and declared to be liquor by the Chief Commissioner of Delhi came within the definition of intoxicating spirituous preparations under the said rules. The result of this is all Ayurvedic medicines such as 'Karpurasava' Mrit Sanjivani Sura, Maha Drakshasav etc. containing more than 20° proof alcohol are Intoxicating Spirituous preparations and covered by ISP Rules.

So under the ISP Rules, 1952, the power of checking lies with the Excise Department, Delhi in respect of :

(i) The persons who were entitled to possess, sell, import, export or transport Intoxicating Spirituous preparations;

(ii) The limits of quantities of Intoxicating Spirituous preparations;

(iii) Sales as per conditions set out in the licence given to them; and

(iv) to require them to send their periodical accounts to the Excise Department which can, however, be waived by the Excise Commissioner.

Reading together the Delhi ISP Rules 1952 and the already above mentioned provisions of the Drugs Act, the statutory duties of the Drug Department continue to remain intact and undiminished so far as the manufacturing or sale of mis-branded, adulterated or spurious ayurvedic drugs, as contemplated u/s 33 EEC and 22 of the Drugs Act are concerned, whether the drugs contain more than or less than 20° proof alcohol or no alcohol at all.

In para no. 13 of his affidavit no. 1 Dr. Varshney stated that normally the Government Analyst does not test such preparations to find out as to what are the substitutes and adulterants used in the ayurvedic medicines and the only test which is normally carried out is to find out the percentage of alcohol in the medicine. During his cross-examination by the Commission Dr. Varshney denied as wrong the suggestion that in view of Form 13A of the Drugs and Cosmetics Rules, 1945 his aforesaid deposition in para no. 13 of his affidavit no. 1, was incorrect, eventhough Clause V of the said Form was kept in mind, though he admitted as true that the percentage of alcohol

in ayurvedic medicines was to be found out by the Excise Department and not by the Drugs Department. Form 13A reads as follows :—

FORM 13-A

(See Rule 163(5))

Certificate of tests or analysis by Government Analyst under Section 33H of the Drugs and Cosmetics Act, 1940.

1. Name of Inspector from whom received .....
2. Serial no. and date of Inspector's memorandum.....
3. Number of sample.....
4. Date of receipt.....
5. Names of ingredients purporting to have been used in the preparation of the sample.....
6. Condition of seal on the package..... ....
7. Results of test or analysis.....

Date..... Government Analyst .....)

It would be seen that Clause V of the said Form pertains to the names of ingredients purporting to have been used in the preparation of the sample and when the same are to be tested and analysed by the Government Analyst, he would naturally find out whether those ingredients are there in the sample or not which would also impliedly mean what other substitutes or additions are there. This Form is a part and parcel of the Drugs and Cosmetics Rules, 1945 framed under the Drugs Act and has to be interpreted in the context of the duties of the Drug Inspector under the Drugs Act. As the Drug Inspector did not inspect any sale establishments, the samples, eventhough meagre in number, must be of the ayurvedic drugs lifted from the manufacturing units.

It was pointed out by Mr. Mahajan from the cross-examination of Mr. R. Narayana, Excise Commissioner, Delhi (as he then was) wherein he admitted that as far as the sale of ayurvedic preparations with alcohol higher than 11.4% was concerned, the Excise Department was responsible. This admission of Mr. R. Narayana can not be accepted so as to cover the entire ambit of sale of such preparations and the consequent responsibility of the Excise Department in respect of the same. As already pointed out above, the statutory duties of the Drug Department, Delhi continued to remain intact in respect of the sale of ayurvedic preparations irrespective of any percentage of alcohol in the contents thereof, if the same is mis-branded, adulterated or spurious or if its manufacturing is in contravention of any of the provisions of the Drugs Act or any rule made thereunder, and the admission of Mr. R. Narayana, as aforesaid, is subject to this statutory duty of the Drug Inspector.

In his cross-examination Mr. R. Narayana admitted that all the three departments of Delhi viz. Excise, Police and Drugs were responsible for keeping a watch and check on the borders regarding illicit import of illicit medicines/liquor. Even at the borders of Delhi the Drug Inspector of Drug Department, Delhi had his duty u/s 22 read with u/s 33 EEC of the Drugs Act to stop and search any vehicle, or other conveyance which, he has reason to believe, is being used for carrying any ayurvedic drug in respect of which an offence under Chapter-IV-A has been or is being committed. He is also empowered to take samples of any drug from any person who is in the course of conveying, delivering or preparing to deliver an ayurvedic drug to a purchaser or consignee. In exercise of these powers he is further entitled to examine any record, register or document or any other material object found with such a person or from such a vehicle or other conveyance, referred to above, and seize the same if he has reason to believe that it may furnish evidence of the Commission of an offence punishable under this Act or the Rules made thereunder. He can also require a such a person to produce any record, register or document pertaining to such drug in respect of which he has reason to believe that an offence under Chapter-IV-A has been, or is being committed. These powers the Drug Inspector can exercise at the borders of Delhi to find out if the ayurvedic drug seized by him is mis-branded, adulterated or spurious. And in exercise of these powers and the consequent performance of corresponding duties the Drug Inspector is not concerned whether the ayurvedic drug seized contains any percentage of alcohol or not. These duties at the border have not been performed by the Drug Department through its Drug Inspector (Ayurvedic). Had this duty been performed by the Drug Department at the borders, the importers of ayurvedic drugs into Delhi from the neighbouring States would have been kept deterred and nothing adulterated, mis-branded or spurious in the form of ayurvedic drugs would have found such an easy way into Delhi and then at the sale establishments in Delhi. Herein too this duty has remained untouched at the hands of Drug Inspector (Ayurvedic) of Drug Department of Delhi and even if assuming that he was very busy in the performance of his other duties he could have performed his duties at the borders to some extent.

The Drug Inspector (Ayurvedic) necessarily failed in the performance of his duties in respect of particulars appearing on the labels of the bottles of Ayurvedic drugs at the sale establishments in Delhi as well as on the borders of Delhi whether the labels conformed with the manner of labelling as mandated under Rule 161 of the Drugs & Cosmetics Rules, 1945. Some of the particulars required under this rule on the labels are, name of the drug, weight, measure and volume of the content, the name and address of the manufacturer, the number of the licence, batch number, date of manufacturing, the words "Ayurvedic medicine" or "Siddha medicine" or "Unani medicine" as the case may be and the words "For external use only" if the medicine is for external use.

Reference may also be made to the admission of Dr. Varshney in his cross-examination by the counsel for Excise Department, Delhi wherein he has conceded that in the case of sale of any spurious, adulterated or mis-branded ayurvedic drugs, it is the Drug Controller's Department which takes action through its Inspectors.

It may be pointed out, as stated in paras 32 and 33 of the affidavit deposed to by Mr. R. Narayana Excise Commissioner, Delhi that illegal imports of ayurvedic preparations containing more than 11.4% v/v alcohol were being exported on a large scale to Delhi by the local manufacturers of neighbouring States who were managing to export these preparations in bulk without paying the Excise Duty to the Government, and the Excise Commissioners of the neighbouring States were requested to direct their Excise officials to be more vigilant against such manufacturers, and the Excise Commissioners of the neighbouring States were again reminded likewise in 1990. In view of this clandestine trafficking of ayurvedic preparations from the nighbouring States into Delhi at large scale can also be the result of lack of vigilance on the part of the Drug Inspector (Ayurvedic) of Drugs Department of Delhi.

The aforesaid lapses on the part of the Drug Inspector (Ayurvedic) ought to have been corrected by the Drug Controller who on seeing the periodical reports of the Drug Inspector could have easily found out his lapses on the above mentioned firms and if no such periodical reports were submitted, the blame lies on the Drug Controller, who did not care to check up the working of the Drug Inspector (Ayurvedic) who was working under him.

It was pointed out that the method of test or analysis to be employed in relation to 'Karpoorasava' is not specified in the ayurvedic pharmacopoeia and consequently the Government Analyst can not correctly test the ingredients of the same as stated on the label. The reply to this contention finds mention in rule 164 of the Drugs & Cosmetics Rules, 1945 according to which if no tests are specified in ayurvedic pharmacopoeias, such tests as the Government Analyst may employ, such tests being scientifically established to determine whether the drug contains the ingredients as stated on the label.

In view of the aforesaid discussion the Drug Department, Delhi has been negligent in respect of its vigilance on the sale establishments of ayurvedic drugs in Delhi as well as in respect of the ayurvedic drugs which found import in Delhi from the neighbouring States, at the borders, as also in respect of the checking of the lables on the bottles of ayurvedic drugs regarding the particulars required by law on the labels of such bottles, and these lapses contributed to the large scale sale of illicit/adulterated 'Sura' in Delhi causing this tragedy.

EXCISE DEPARTMENT DELHI

If any Ayurvedic Medicine has more than 11.4% v/v Alcoholic content or more than 20 degree proof Alochol, than it comes under the purview of Delhi Intoxicating Spirituous Preparations, Import, Export, Transport, Possesion and Sales Rules, 1952 (For short ISP Rules) and the import, export, transport, possession and sale of such medicinal preparations is governed by these Rules, Rule 1(g) has defined intoxicating spirituous preparations as follows :—

> " 'Intoxicating Spirituous Preparation' means the spirituous preparations declared as liquor by the Lt. Governor's Notification No. F 10(27)/61-Fin. (E) (i) dated 7th Dec., 1961 as subsequently amended vide corrigendum No. F 10 (27)/61-Fin. (E) (i) dated 13th Dec., 1961 and shall include all such preparations as the Lt. Governor may declare as such from time to time;"

In 1961 the Chief Commissioner was there in Delhi instead of Lt. Governor. According to the Notification dated 7th Dec., 1961 the Chief Commissioner of Delhi was pleased to declare all spirituous preparations containing more than 20 degree proof Alcohol to be liquor for the purposes of the Punjab Excise Act, 1914 as inforce in the Union Territory of Delhi. Such Notification was issued in exercise of the powers conferred by clause (14) of S.3 of the Punjab Excise Act, 1914 as extended to the Union Territory of Delhi and in supersession of his earlier Notification No. F 10 (16)/52-R&C dated 19th June, 1953. The list of medicinal preparations containing high percentage of Alcohol and notified in the Notification dated 7-12-1961 can be used for potable purposes. It would be noted that the manufacturing stage or part is not covered by ISP Rules. The perusal of the various Provisions of ISP Rules goes to show that the power to check lies with Excise Department, Delhi in respect of the following :—

1. The persons who were entitled to possess, sell, import, export or transport Intoxicating Spirituous Preparations ;
2. The limits of quantities of Intoxicating Spirituous Preparations;
3. Sales as per conditions set out in the licence given to the vendors of such Ayurvedic drugs; and
4. To require the sale establishments to send their periodical accounts to the Excise Department which can, however, be waived by the Excise Commissioner.

The ISP Rules make mention of certain Forms viz. ISP-1, ISP-2, ISP-2A, ISP-3 and ISP-4. ISP No. 1 is the Form of licence for sale of Intoxicating Spirituous Preparations. Form No. 2-A is the Form for the possession of such drugs. Form No. 3 is the Form of the permit for the import or transport of such drugs. Form No. 4 is the Pass

for the export and transport of these drugs. These licences, permits and passes are granted by the Collector/District Excise Officer.

It was submitted by Mr. B.D. Batra, learned counsel for the Excise Department, Delhi that in the preparation of 'Karpoor Asav', the Alcoholic content was not more than 11.4% v/v or more than 20 degree proof Alcohol and there was no standard formula thereof and consequently the Excise Department, Delhi was in no way responsible for the import, export, transport, possession or sale thereof under ISP Rules, 1952 as these Rules pertained only to those aspects of the Ayurvedic drugs containing more than 20 degree proof Alcohol and thus no supervision of the Excise Department was called for in respect of the killer drug which had been sold in Delhi or imported into Delhi from the neighbouring States across the border, and in this connection has invited my attention to Annexure-'A' of the affidavit of Mr. R. Narayana, Excise Commissioner, Delhi, which is a letter dated 30-9-86 from the Drugs Controller (India) to Drugs Controller, Delhi Administration which reads as follows :—

"Subject :—Fixing of alcoholic contents of classical Ayurvedic medicines such as Mritsanjivani Sura, Maha Drakshasava etc.

Sir,

Please refer to your letter No. 8(20)/84/DC/Enft/4206 dated 30-5-86 on the subject noted above.

This Directorate has consulted the Adviser, Ayurveda, Ministry of Health & F.W. in the matter. He has informed that so far as alcoholic contents of Ayurvedic preparations like Mritsanjivani Sura and Mahadrakshasava is concerned, no standards have been laid down by the Ayurvedic Pharmacopeia Committee. The question of reduction or increase in alcoholic content arises only when the standards have been fixed by Ayurvedic Pharmacopoeia Committee.

Yours faithfully,
Sd/-
(D. K. Rao)
For Drugs Controller (India)"

From this letter Mr. Batra wanted to urge and emphasize that no standards had been laid down for Mritsanjivani Sura and Maha Drakshasava and that Karpoor Asav, being an Ayurvedic drug of the same category, too was without standards as far as its alcoholic content was concerned and to strengthen his arguments Mr. Batra sought support from the word 'etc.' and 'like', used respectively in the subject and body of this letter vis-a-vis Mritsanjivani Sura and Maha Drakshasava, so as to include,

by necessary implication, even 'Karpoor Asav' in this letter, and then further contended that Karpoor Asav was not having more than 11.4% v/v alcoholic content and there was no evidence before the Commission in regard to the same and consequently the Excise Department, Delhi did not come into the picture in respect of the killer sura sold or imported into Delhi under the guise of the Ayurvedic drug Karpoor Asav which by itself could not cause death but the tragedy was caused as the killer drug contained Methyl Alcohol which is a poison declared as such under the Poisons Act. This contention of Mr. Batra regarding the responsibility of the Excise Department in the matter of Karpoor Asav cannot be accepted, because even if it be taken that no standards have been laid down regarding the alcoholic content of Karpoor Asav, as in the case of Mritsanjivani Sura and Maha Drakshasava it cannot be said that the alcoholic content of Karpoor Asav was less than 11.4% v/v or less than 20 degree proof. When the above mentioned letter Annexure 'A' dated 30-9-86 of Drug Controller (India) to Drug Controller, Delhi Administration asserts that the question of reduction or increase in alcoholic content arises only when the standards have been fixed by Ayurvedic Pharmacopoeia Committee, it leaves the matter open and not determined as to what quantity of alcoholic percentage was being used in Mritsanjivanli Sura and Maha Drakshasava by using both the words "reduction or increase" in regard to the alcoholic content of these ayurvedic drugs. In his cross-examination Mr. R. Narayana, Excise Commissioner, Delhi has admitted at two different places that Karpoor Asav contains more than 11.4% v/v alcohol. He has specifically stated in his cross-examination by Mr. S. K. Mahajan, counsel for the Drug Depatrment, Delhi that in the preparation of Karpoor Asav rectified spirit more than 11.4% v/v is used. His statement on this point cannot be disbelieved as it is a statement of no layman but of the Excise Commissioner of Delhi.

It was also contended by Mr. Batra that on the seized bottles of the killer drug it was nowhere mentioned on the lables thereof that the contents contained more than 11.4% v/v alcohol and so the Excise Department, Delhi could not be expected to take samples thereof and to lodge FIR with the police for taking action in respect thereof. Even though there was no such mention of the alcoholic content being more than 11.4% v/v on the lables of the seized killer drug bottles, there is ample evidence to show that the lables thereof mentioned the contents as "absolute alcohol". It would mean much more than 11.4% v/v. Anyhow the Excise Department could learn the exact percentage of the alcoholic content in such like bottles and also in the case of the bottles of other Ayurvedic drugs mentioning the alcoholic percentage on their lables, whether more or less than 11.4% v/v, by taking samples and getting the same decided from their on laboratory or from CFSL, at Delhi.

Mr. Batra counsel for Excise Department, Delhi contended that adequate steps were taken by the Excise Commissioner, Delhi who wrote letters to the Additional Commissioner of Police (CID), New Delhi and the Excise Commissioners of the neighbouring States against violation of Delhi ISP Rules and to extend necessary cooperation to Excise Department, Delhi by checking the same. Annexures 'E' and 'F' of the affidavit of Mr. R. Narayana, Excise Commissioner are the two letters dated 4-1-90 and 23-2-89 respectively both addressed to Additional Commissioner of Police (CID), New Delhi. In the letter dated 23-2-89 it was pointed out that bearing the action of arrest of the offenders in respect of Mritsanjivani Sura and Mritsanjivani Sudha, all actions for violations of the ISP Rules, 1952, including the prosecution thereunder could be taken against the offenders of these Rules where anyone was found selling the Ayurvedic Preparations containing alcoholic content exceeding 20 degrees proof (11.4% v/v) without obtaining licence from the Excise Department under the said Rules. It was also suggested that all types of action including prosecution and arrest were also possible in respect of Ayurvedic Spirituous Preparations other than Mritsanjivani, Mritsanjivani Sura and Mritsanjivani Sudha for violations of these Rules provided these preparations contained alcoholic content exceeding 20 degree strength (11.4% v/v) because there was no stay order in respect of these Spirituous Preparations. In the end the additional Commissioner of Police (CID) was requested to direct officers concerned to immediately initiate and take action as indicated in this letter so that there was no untoward incident involving these preparations for potable purpose. The other letter dated 4-1-90 again call upon the Additional Commissioner of Polic (CID) to impress upon his officers the necessity of taking effective steps against the violation of Delhi ISP Rules and also to extend necessary cooperation to Excise Department by way of seizures and registration of cases regarding violations of these rules. But Mr. Narayana conceded in his cross-examination that as far as he remembered he did not issue any internal circulers to his own staff on the lines of these two letters.

In para 33 of his affidavit Mr. R. Narayana had deposed that the Excise Commissioners of Uttar Pradesh, Haryana, Rajasthan and Punjab were again reminded in 1990 and it was again pointed out to them that export of Ayurvedic medicines from their States containing more than 20 degree proof alcohol was in violation of Delhi ISP Rules. It was also pointed out to them that import of such preparations into Delhi was permsisible only under the authority of a permit in form ISP-3 for the holders of licence in Form ISP-1. Therefore, the Excise Commissioners of these States were requested thereby to issue instructions that no export of Ayurvedic Spirituous Preparations containing more than 11.4% alcohol be allowed for sale in Delhi without Import Permit issued by the Delhi Excise Authorities in Form ISP-3. It was also contended by Mr. Batra that at the borders it was the police force alone which was posted as Excise Officers for checking such types of offences as they also happeed to be Excise Officers and as such it was

their duty to check the imports of such Ayurvedic Preparations. It was further pointed out that even for border offences in respect of import of such like Ayurvedic Preparations, the Excise officials on taking the samples or seizing the bottles were to hand-over the same to the police for further action after the Excise officials lodged the FIRs in respect thereof. It was admitted by Mr. Narayana in his cross-examination by Mr. Batra that all the three departments of Delhi viz. Excise, Police and Drugs were responsible for keeping a watch and check on the borders regarding illicit import of illicit Ayurvedic medicine/liquor. In his cross-examination Mr. Narayana stated that Excise Officers had the powers to check at the borders any illegal import of illicit liquor or ayurvedic medicines containing more than 11.4% alcohol without licence, but the Excise Department did not have that much staff to put on the borders. He further stated that he did not remember if Excise Officers did any such checkings on borders. He further stated that the Excise Department did not write to any authorities for giving them more staff as Excise Department was a Non-Plan department and there was bar on recruitment of more staff and this plea was also taken before Baweja Commission as also paucity of staff. He then conceded that after Baweja Commission some staff was created in his department for checking at borders and that the staff was increased 2/3 years after Baweja Commission Report. He further admitted that he did not take any action to review the paucity of staff.

In view of the aforesaid unambiguous admissions of Mr. Narayana, Delhi Excise Department was responsible together with the other two Delhi departments of Drugs and police for cheking illicit imports of ayurvedic drugs containing more than 11.4% v/v alcohol at the borders and this responsibility of Delhi Excise Department was all the more imperative inasmuch as in para 30 of his affidavit Mr. Narayana stated that no permits to import 'Karpoorasavas' were issued by the Excise Department and as such at the boder itself its import should not have been allowed. He also stated in his cross-examination that as far as he remembered he had issued no permits for import of ayurvedic drugs containing more than 11.4% v/v alcohol, under ISP Rules and that in the preparation of 'Karpoorasavas', rectified spirit more than 11.4% v/v was used. From the labels of 'Karpoorasava' bottles seized by Delhi Police it was clear that the contents thereof were "absolute alcohol". Consequently checking by the Excise Department officials at the borders of Delhi was necessary to find out as to how and why ayuvedic preparations containing more than 11.4% v/v alcohol were being imported into Delhi from the neighbouring States when no import permits had been issued by the Excise Department and they could even find out the exact percentage of alcohol contained in the same, whether more or less than 11.4% v/v, by taking samples at the borders and getting the same verified by test/analysis in their laboratory or from CFSL at Delhi itself.

The Nashamukti Foundation which is a all India body with headquarters at Delhi and with President P. K. Chandla, constituted a fact finding committee

under the chairmanship of M.R. Arya on the tragedy in question, and this committee submitted its report exhibits CW-9/1 and this report bears the signatures of M. R. Arya and the other members of this fact finding committee. They went around together as well as separately for collection of facts pertaining to this tragedy and thereafter they prepared their aforesaid report. They visited mainly Jahangirpuri, Sarai Pipal Thala, Adarsh Nagar, Lal Bagh Jhuggies, Baljit Nagar, Faridpuri, Anand Parbat and some other places mentioned in the annexure to the said report. The also contacted police stations Jahangirpuri, Moti Nagar, Patel Nagar and Anand Parbat. They also contacted Excise Department officials, ADM Mr. Ashok Bakshi's office, mortuary and various hospitals in Delhi. The statement of P. K. Chandla CW-9 shows that they have reached the conclusion that mainly Delhi Police and Excise Department, Delhi are responsible for this tragedy. According to his statement the Excise Department, Delhi has issued roughly one thousand licences for the sale of Ayurvedic Sura and Asav whereas there are about twenty time unlicenced sellers thereof and they include grocery shops, Pan shops, Vegetables shops, Fruit sellers, Chemist shops, Rehri and Patriwalas, and even mobile peddlars who were engaged in selling the same without licence, openly, in any quantity and even at odd hours and this trade is flourishing more in the localities where the poorer sections of the society are living. Since November, 1989 manufacturing of Sura is banned in Delhi and all the factories which used to manufacture Sura were sealed and thereafter the only source of supply of Sura was import from Haryana and U.P. and illicit liquor has been manufactured in Delhi also under the guise of Ayurvedic Sura. His statement further shows that unlicenced sellers as well as licenced sellers were obtaining and receiving this supply from Haryana and U.P. without the requisite import permit, by bribing the police at the borders as well as the other agencies including octroi people at the borders on regular basis. Further during the period of two years from November, 1989 to November, 1991 the Excise Department, Delhi had issued import permits only two the extent of a few thousand bottles of Sura, whereas thousands of Sura bottles were being imported into Delhi from the adjoining States of Haryana and U.P. daily. According to him it is obvious that without the connivance of Police and Excise officials of Delhi the free supply and sale thereof on such a big scale was not possible. He has also stated that the manufacturers of Sura (illicit liquor) in the guise of alcoholic medicines from the neighbouring States of Haryana and U.P. have been regularly paying monthly bribes in huge amounts to the tune of Rs. 25,000 to Rs. 1.00 lac per manufacturer for sale of the same into Delhi with and without permits, to the concerned Excise officials of Delhi. He also deposed that besides the licenced sale outlet owners i.e. sellers in Delhi had been paying on regular basis to the concerned Excise officials of Delhi for making sales hundred times to one thousand times more than the import permits granted by Delhi Excise Department to the

respective sellers in Delhi and further that normally the Excise Department, Delhi issues import permit of a five Cartons containing 250 quarters for a seller in Delhi whereas these sellers go on importing and selling hundreds times to one thousand times more than what they are permitted to import and sell. He then further stated that over and above, the Mafia involved in the manufacture and sale of illicit liquor in the name of ayurvedic medicines Sura and Asav who were having organised network and well established nexus with local Police and Excise Department are also paying fatty amount regularly to the Police and Excise Department of Delhi. In his cross-examination he stated that he also remained alongwith the members of the fact finding committee in the matter of probe.

Mr. M.R. Arya, CW 12 who was the Chairman of the aforesaid fact finding committee has also talked of his having visited various places, as already noted above by P.K. Chandla, alongwith 7 other members of the said committee, together as also in smaller groups. According to him in those localities people had assembled in groups of 10/20 and they told them that this Sura had been sold openly on the shops of Tea vendors, Pan shops, Kiryana shops, shops of Chemists and other general merchants and they also pointed out 2/3 shops in each locality. He has further stated that this trade of the manufacture and sale of Sura has been so much and of such a big magnitude that it is easy to infer that Delhi Police and Delhi Excise Department were also involved in it and were conniving therein. He has then further stated that the officials of these two departments have been seizing only sometimes and not as often as they aught to have done looking to the high magnitude of this trade, and the seizurs of illicit liquor by them was rather rare and just to show 'Khanapuri' by way of eyewash. He has also stated that local sellers in Delhi obtain import permit of Sura or illicit liquor from Delhi Excise for importing the same from neighbouring States only in respect of one or two crates which is only in small quantity fixed by Delhi Excise, but these permit holders continue thereafter for years the import of Sura from neighbouring States to Delhi without necessary permits with the active connivance of the checkpost of Delhi Municipal Corporation Octroi and the checkposts of Delhi Police. This witness had been a Matropolitan Councillor for two terms. In his cross examination this witness conceded that he did not make any complaints to any officer in Delhi that Sura/illicit liquor was being manufactured and sole in Delhi under the guise of ayurvedic medicine 'Karpoor Asav'. He is the Vice-President of Delhi unit of Bhartiya Janata Party and he denied as absolutely wrong the suggestion that in order to defame the present government and its departments such as Police and inorder to give phillip to his own party, they belatedly concocted this report Ex. CW9/1.

The next witness is Umesh Lakhanpal CW-13 who was also a member of the aforesaid fact finding committee. He is the Chief Reporter of the daily Hindi paper "Punjab Kesari" and he in that capacity as also a member of the fact finding Committee

alongwith other members of the committee, jointly as well as in smaller groups and even separately, visited various localities such as Azadpur, Jahangirpuri, Haiderpur, Samaypur Badli, Adarsh Nagar and Kewal Park etc. to find out the facts about this tragedy and met a number of persons in each locality and those persons also included the relations of the victims and they told them that Sura used to be sold openly in these localities even at small shops such as Pan shops, Halwai shops and on patris besides regular shops of chemists and general merchants at any time to anybody and even at odd hours in the night. He further deposed that they also told that Sura used to be sold there in quarters as also in pegs and that the poorer section of the society has been purchasing Sura in open market in the form of quarters or even pegs, with small amount of money as they could not afford to purchase bottles of country made liquor from the government shops, and that even though half bottles were permissible to be sold at country liquor shops of the government, they preferred to sell full bottles and thereby compelled them to purchase full bottles. He then deposed that he had also separately gone to Pan shops and other petty shops of the localities and was told there by those shopkeepers that Sura was being sold by them openly and that the suppliers of Sura had been paying bribes to the officials of Delhi Excise whereas the shopkeepers who received the supplies used to pay bribes to the local Police. This witness is M.A. in Political Science and was also a diploma holder in Journalism and had been connected with 'Nashamukti Foundation', Delhi since its inception. He conceded in his cross-examination that he himself did not sent any complaint in writing to the Police Commissioner or Lt. Governer, Delhi or to any other officer of Delhi Administration, but did send those matters as 'news item' to the newspapers.

In his statement Ram Phal Tyagi CW-14 who is also a number of the aforesaid fact finding committee and is General Secretary of Bhartiya Janata Party, Narela District, stated that he went to the houses of each and every victim of the killer Sura and the residents thereof told him that Sura was being sold openly at a very large scale and that the public assembled at the cremation ground of Jahangirpuri were also saying that Sura was being sold so openly and in such a big magnitude under the guise of ayurvedic medicines how that much production and sale was existing and carried on without licence and that it must be within the knowledge of and with the connivance of Delhi Excise.

Abdul Rashid CW 16 is one of the trustees of 'Nashamukti Foundation' and was also a member of the above mentioned fact finding committee. He has also talked of his having visited a number of localities, already listed above, alongwith other members of the fact finding committee and sometimes in smaller groups of 2/3 in connection with the investigation into this tragedy about three days after 5-11-91. According to him they contected groups of people mourning the deaths, the social workers and few issolated persons in the localities and they were talking that there was a huge free

open sale of ayurvedic Sura under the guise of medicines with the connivance and knowledge of the local Police and Delhi Excise officials, and that the same was being sold illegally on many shops including the shops of grocery, general merchants, pan-wala and rehriwalas and on patris in their localities. He further stated that in some places they were told by the persons assembled that a poor person could not afford to purchase a quarter of Sura these shopkeepers could supply even 1/4th content of the Sura quarter.

There was hardly any cross-examination on anyone of these witnesses who were members of the above mentioned fact finding committee constituted by 'Nashamukti Foundation' nor on P.K. Chandla, President of 'Nashamukti Foundation' challenging their statements regarding the people in the above mentioned various localities that Sura under the guise of ayurvedic medicines was being sold freely, openly, to anybody and even at odd hours, not only at the shops of regular chemists but also at the shops of general merchants and even at the petty shops of panwalas, grocery shops as well as by the petty vendors on rehris and patris and this trade was of huge magnitude and that illicit Sura had also been brought into Delhi from the neighbouring States in large quantities without any let or hinderance and import permits to be issued by Delhi Excise and sold openly and freely in Delhi as stated above.

The aforesaid facts do not stand mitigated nor the lack of vigilance on the part of the Excise Department by the statement of Mr. R. Narayana, PW-47, Excise Commissioner, Delhi in his cross-examination wherein he stated that Mr. C.S. Meena and his staff had detected as many as 13 cases of the violation of ISP Rules pertaining to ayurvedic drugs during the period from 1-5-91 to 5-11-91, out of which 3 cases partained to Karpoor Asav and in those three cases as many as 355 bottles in all were seized and that Mr. C.S. Meena was District Excise Officer (Enforcement) and Mr. Meena was exclusively Incharge of the affairs in connection with the violation of ISP Rules including ayurvedic drugs. Even the issuance of precautionary measures instructions on the eve of Diwali after 1991 to the Inspectorate staff and the District Excise Officers and Excise Officers to inspect all the licenced vends to ensure that there was no overcharging etc., as also the simultaneous issuance of separate instructions to the Excise Intelligence Bureau to check the sale of illict liquor and boot-legging, by Delhi Excise Collector, would not mitigate the seriousness of the above mentioned facts brought out from the depositions of P.K. Chandla and members of the fact finding committee. The said circular is Annexure 'D' of Mr. Narayana's affidavit. In view of these facts it is no wonder that the people assembled in the various localities visited by the members of the fact finding committee told them that all this could not happen without the knowledge or connivance of the officials of Excise Department, Delhi and the local Police, and their statements, on this point cannot be disbelieved, and that establishes negligence/lapse on the part of the Excise Department, Delhi in

respect of their vigilance on the borders of Delhi in regard to the illegal import of illicit liquor or Sura in the guise of ayurvedic drugs into Delhi without import permits issued by Delhi Excise, and the enormous sale thereof illegally in Delhi at various shops, freely and openly and to anybody and even at odd hours, even at petty shops, without the requisite licence from Excise Department, Delhi to be issued under the ISP Rules, 1952.

In view of the aforesaid discussion officials of Excise Department, Delhi are responsible for the aforesaid lapse and I hold it accordingly.

DELHI POLICE

Under Chapter-3 of Delhi Administration, Delhi (Excise Department) MANUAL (Volume II), 1976 (as corrected upto 11th October, 1976) all Police Officers in Delhi from the rank of Head Constable to the rank of Superintendent of Police have been invested with powers of Excise Officer of the 1st Class and all Police Constables, with powers of an Excise Officer of the III class, under section 11 of the Punjab Excise Act, 1914, as extended to the Union Territory of Delhi. Consequently these Police Officers have concurrent powers with the Excise Officers and thus they are also under a statutory duty to detect and check the Excise offences under the ISP Rules and those offences are in respect of those ayurvedic drugs which contain alcohol more than 20 degree proof. In his cross-examination Mr. R. Tiwari, then DCP (Crime), Delhi conceded that it was the duty also of Delhi Police to detect the Excise offences and also to prevent such like tragedies in Delhi.

In his cross-examination Mr. R. Tiwari stated that in the year 1991 more than 194 cases were detected by the Delhi Police under ISP Rules wherein approximately 1,34,000 quarters and more than 3,000 halvers bottles were recovered from various places under the Excise Act and he denied as wrong the suggestion that Delhi Police were aware of rampant misuse of 'Karpoor Asav' as illicit liquor and they did not take any preventive measures in respect thereof. Para Number 19 of the affidavit No. 50 of Mr. K. K. Maheshwari, Asstt. Director, S.V.P., National Police Academy, Hyderabad who was earlier posted as DCP (North-West District) from 26-2-90 to 18-12-91 shows that police have been acting under ISP Rules and that 33,335 bottles were seized by them in the year 1990 and 39,270 bottles were seized by them till 31-10-91 and they have been acting and recovering ayurvedic medicines suspected to violate the ISP Rules whenever information was received. In his cross-examination DCP, P. R. Meena, PW-69 was put the following question :—

> "Q. After the seizure in case FIR No. 280/90 in which 900 bottles of Sura were seized and thereafter in FIR No. 123 dated 1-1-91 (both pertaining to your area) wherein 5100 bottles of Sura were seized

from your District and you were aware of the fact that illicit Sura was being sold in your area without licence under ISP Rules. Did you or your subordinate police officers, on their own, raid any premises or checked any chemist or druggist in order to ensure whether any illegal sale of Sura was being carried on within your area"?

To this question Mr. Meena gave the following answer :—

"We did not. Again said we did checking of our own in the shops of chemists and druggists but we found that they were having licences under the ISP Rules from Excise Department".

In order to nullify and disapprove the aforesaid answer, Mr. Meena was subjected to further cross-examination wherein he could not give the number of searches or raids conducted, of their own without information or complaint nor could he say in reply to Commission's question if the number of such raids was one or 20 or 50 or 100 during the year 1991 before this tragedy. Thereafter he was further cross-examined wherein he denied as wrong the suggestion that he did not remember the figure of their own because they are not known. He further stated that under the ISP Rules if he or his police officers had a suspicion, they could search and raid the premises under suspicion. From the aforesaid cross-examination it appears that no raids or searches of any premises was carried out by Mr. Meena or his subordinate police officers in Central District, Delhi Police.

A number of police officers of Delhi of the rank of DCPs and SHOs filed affidavits before the Commission and they are SHO Balbir Singh, PW-48 of P.S. Samaipur Badli ; Mr. K.K. Maheshwari, PW-50 DCP (North-West District) Delhi (from 26-2-90 to 18-12-91); DCP Satish Chandra PW-57 (West District); Mr. Bhimsain Bassi, DCP (North Distt.) PW-62 ; SHO Ajit Singh PW-67 of P.S. Prasad Nagar ; Mr. P.R. Meena PW-69 DCP (Central District) ; SHO Mazhar Hussain PW-74 of P.S. I.P. Estate, New Delhi and SHO Ramesh Chand Saini PW-85 of P.S. Timarpur (North District) and they have stated that Delhi Police have no power to check the contents of ayurvedic preparations or to regulate the sale thereof and they are neither trained nor qualified to check the contents thereof and that they can act only when alcoholic content therein is more than 20 degree proof, under Delhi ISP Rules, 1952 and that they can act on suspicion for any contravention of the Excise Act when so comes to the notice, and they did act. It is also pointed out that Delhi Police have no testing laboratory of their own.

An All India body known as "Nashamukti Foundation" with headquarters at Delhi and P.K. Chandla CW-9 as its President, constituted a fact finding committee in respect of the tragedy in question and this fact finding committee had as many as 7

members besides its Chairman M.R. Arya. This committee submitted its report Ex. CW-9/1 to the "Nashamukti Foundation". The statements of P.K. Chandla CW-9 ; M.R. Arya CW-12 Chairman of this committee ; Umesh Lakhanpal CW-13 ; Ram Phal Tyagi CW-14 and Abdul Rashid CW-15 members show that they visited a number of localities viz. Jahangirpuri, Sarai Pipal Thala, Adarsh Nagar, Lalbagh Jhuggies, Baljit Nagar, Faridpuri, Anand Parbat and some other places mentioned in the annexure to the abovesaid report CW-9/1 in connection with the assignment entrusted to them in respect of fact finding about this tragedy. They also contacted police stations Jahangirpuri, Moti Nagar, Patel Nagar and Anand Partat and also contacted Excise Department officials ; ADM Mr. Ashok Bakshi's office, Mortuary and hospitals mentioned in the said report and they came to the conclusion that mainly Delhi Police and Excise Department, Delhi were responsible for this tragedy. It has also emerged from their testimony that ayurvedic Sura under the guise of ayurvedic preparations was being sold by unlicenced sellers at petty shops such as grocery shops ; pan shops ; vegetable shops as also by fruit sellers ; tea vendors and rehri and patriwalas and mobile peddlars who have been engaged in selling the same without licence, openly, in any quantity and to anybody even at odd hours, through out Delhi. P.K. Chandla, CW-9 has deposed that the Excise Department, Delhi has issued roughly 1000 licences for the sale of 'Ayurvedic Sura' and 'Asav' whereas there are about 20 times unlicenced sellers thereof and they include the above mentioned petty shops and vendors besides the regular chemist shops. The testimony of these witnesses further shows that this illegal trade is flourishing more in the localities where the poorer sections of the society are living like resettlement colonies. It is also in evidence in the testimony of P.K. Chandla and these witnesses that during the period of two years from November, 1989 to November, 1991 the Excise Department had issued import permits only to the extent of a few thousands of bottles of Sura, whereas thousands of Sura bottles were being imported into Delhi from the adjoining States of Haryana and U.P. daily, and that, it is, however, obvious without the connivance of the police officials of Delhi and the officials of Excise Department, Delhi the free supply and sale of Sura on such a big scale was not possible. Similarly, the deposition of M.R. Arya CW-12 Chairman of the fact finding committee shows that local sellers in Delhi obtain import permits of Sura or illicit liquor from Delhi Excise for importing the same from neighbouring States only in respect of one or two crates which is only in small quantity fixed by Delhi Excise but those permit holders continue thereafter for years the import of Sura from neighbouring States to Delhi without necessary permits with the active connivance of the checkposts of Delhi Police and of Delhi Municipal Corporation Octroi. This witness had been Metropolitan Councillor of Delhi for two terms. Much of the evidence of these witnesses has already been discussed while determining the negligence or lapses on the part of the Excise Department, Delhi and the same may also be utilised while

discussing the negligence or lapses on the part of the Delhi Police. In nutshell they have asserted in their testimony that huge quantities of illicit Sura used to be brought into Delhi from the neighbouring States of U.P., Haryana and Rajasthan without the import permits which could be issued by the Excise Department, Delhi but according to Mr. R. Narayana, Excise Commissioner, Delhi he had not issued any such import permits, and more so as since November, 1989 manufacturing of Sura was banned in Delhi and all the factories which used to manufacture Sura were sealed. The further gist of the testimony of these witnesses is that the free and open sale of illicit Sura under the guise of ayurvedic preparations was going on in huge quantities without the requisite licence under the ISP Rules, 1952 at a very large number of petty shops besides at the shops of regular chemists and druggists and that thus huge quantities of illicit Sura were coming from the neighbouring States into Delhi without any check, let or hinderance on the part of Delhi Police posted at the borders of Delhi, even though officials of the Excise Department, Delhi were also responsible for the same, and even the bribing of the police at the borders of Delhi on regular basis was asserted by them, as also receiving of 'Haftas' (weekly bribes) by the Beat Constables of the local police stations from the above mentioned vendors of Sura in the various localities of Delhi which weekly bribe amounts used to be distributed amongst all the police officers of the various police stations from Beat Constables upto the SHOs and which caused the free and open sale of illicit Sura in the guise of ayurvedic drugs at so many places and shops including the petty shopkeepers at a huge scale.

P.K. Chandla has stated that through out Delhi officials of all the police stations from the rank of Beat Constables upto the SHOs receive weekly bribes from the Sura vendors including the petty vendors and provide them shelter to their sales and this trade is flourishing more in the localities where the poorer sections of the society are living. He has also stated that it is mainly the police which is responsible for this tragedy because without their knowledge and connivance no one can undertake any underground activity of manufacturing or distribution or sale of illicit liquor in the garb of ayurvedic medicines or otherwise.

M.R. Arya has stated that in the localities visited by them, people had assembled in groups of 10/20 and they told them that Sura used to be sold in those localities with the connivance of the local police who had been receiving 'Haftas' (weekly bribes) from the shopkeepers of Sura and that the local police used to collect themselves the weekly bribes from the shopkeepers selling Sura. His statement further, shows that they did not further ask the persons assembled in those localities nor did those persons tell them as to which police officers and of what rank from the local police station used to come to Sura selling shops for receiving weekly bribes. He has also deposed that this trade of the manufacture and sale of Sura has been so much and of such a big magnitude that it is easy to infer that Delhi Police and Delhi Excise

Department were also involved in it and were conniving therein and that they have been seizing only sometimes and not as often as they aught to have done looking to the high magnitude of this trade, and the seizure of illicit liquor by them was rather rare and just to show 'Khanpuri' by way of eyewash. In his cross-examination he has conceded that he has never given any bribe to any officer nor has he ever seen any police officer accepting bribe from any person or any person giving bribe to any police officer, nor any shopkeeper or manufacturer of Sura/illicit liquor giving bribe to any police officer nor any manufacturer thereof made any statement before him that he had been giving bride to any police officer. He, however, has tened to volunteer and add that a number of vendors of Sura/illicit liquor such as panwalas and general merchants told them that they had been paying regular 'Haftas' to the local police, but they did not record in writing the statement of any such persons nor their names disclosed in their fact finding report exhibited as CW 9/1.

Umesh Lakhanpal has also deposed that during their fact finding visits jointly as well as in smaller groups and even separately to various localities, already mentioned above they met a number of persons in each locality and those persons also included the relations of the victims who told them that illicit Sura was sold openly and at anytime to any persons with the knowledge and connivance of Delhi Police & Delhi Excise Department. His statement further shows that he also went separately to pan shops and other petty shops of the localities where he was told by those shopkeepers that Sura was being sold by them openly and that the local police had been obtaining 'Haftas' (weekly bribes) from them on account of the open sale of Sura by them and he was further told by those shopkeepers that the suppliers of Sura had been paying bribes to the officials of Delhi Excise whereas the shopkeepers who received the supplies used to pay bribes to the local police and further the Beat Constables had been collecting the weekly bribes from the shopkeepers selling Sura and also that weekly bribes would reach the SHOs of their police stations where the bribe amount was distributed amongst all the police personnel of the police station from SHOs down to Beat Constables. In his cross-examination by the counsel for Delhi Police this witness Umesh Lakhanpal has stated that he has seen himself a number of times 4/5 shopkeepers giving bribes to the police personnel but was not prepared to disclose the names of those shopkeepers nor the names of the police officers receiving the bribes from the Sura selling shopkeepers, but added that two of those shopkeepers were panwalas and the remaining two were kiryana shopkeepers and that those police officers who received the bribes were the Beat Constables only and those Beat Constables were of P. S. Shalimar Bagh, Adarsh Nagar and Jahangirpuri and he saw these Beat Constables separately on the above mentioned different occasions receiving the bribes. His examination further shows that he saw the receiving of bribes by these constables at about 10.00 p.m. to 11.00 p.m. in the nights separately during the months of October and November, 1991 but before this tragedy,

and he could see the passing of the money by way of bribe but could not see the exact amount being passed and that the passing of money was seen by him from 2/3 metres. He, however, did not hear the conversation between the shopkeepers and the Beat Constables receiving the bribes. Then in reply to questions put by the Commission this witness Umesh Lakhanpal stated further as follows :—

> "As and when the Beat Constables went away after receiving the bribes I enquired from the shopkeepers giving the bribes on every occasion as to what was the reason of paying the money whereupon they told me that they had paid 'hafta' money (bribe) to them and they further told me on my asking that they had to pay the bribes to the Beat Constables otherwise they would not let them sell sura or liquor. From 2/3 shopkeepers out of the above mentioned shopkeepers I asked whether the bribe was taken only by the Beat Constables or other Police Officers also whereupon they told me that the bribe money was collected only by the Beat Constables but the bribe money was to be shared from Beat Constables upto the SHOs including all the officers in between".

This witness, however, conceded that he himself did not see the sharing of the bribe money amongst the police officers from the Beat Constables upto the SHOs. He also conceded that he himself did not send any complaint in writing in this regard to the Police Commissioner or Lt. Governor, Delhi or to any other officer of Delhi Administration but did send those matters as "news items" to the newspapers but did not report to the press about the bribes regularly received by the police in the areas of Jahangirpuri, Shalimar Bagh or Adarsh Nagar but did send "news items" to the press regarding the collusion of the police about the sale of Sura and this he did about 1½ months prior to this tragedy and that on checking his file he could produce the "news item" before the Commission in a couple of days. This witness was directed as per request of Mr. Ahluwalia counsel for Delhi Police to produce before the Commission this "news item" by 30-4-92. He was further directed to produce before the Commission on that day any document showing that the "news items" were sent by him. But he did not produce the same.

Ram Phal Tyagi has deposed that the people assembled at the cremation ground of Jahangirpuri on the night of 5-11-91 where he had gone, were saying that Sura and illicit liquor were being sold openly at almost each and every shop in the areas under the jurisdiction of P.S. Adarsh Nagar with the connivance and knowledge of the local police from Beat Constable to the SHO of P.S. Adarsh Nagar at a large scale and openly and day and night and to anybody and that Sura was being purchased by the poorer sections of the society and they were also saying openly that 'haftas' (weekly bribe) were being collected by the Beat Constables and Divisional officers of P.S. Adarsh Nagar from the shopkeepers selling Sura and thereby they were free to sell

Sura. This witness has also stated that he went to the houses of each and every victim of the killer Sura and the residents thereof told him that Sura was being sold openly at a very large scale with the knowledge, connivance and active participation of the local police of P.S. Adarsh Nagar and P.S. Jahangirpuri.

Abdul Rashid CW-15 who is also one of the trustees of 'Nashamukti Foundation' and also a member of the fact finding committee has deposad that they contacted crowds of people mourning the deaths, the social workers and a few isolated persons in the localities, already referred to above, visited by them and that those persons were talking that there was a huge, free, open, illegal sale of the Ayurvedic Sura under the guise of medicines with the connivance and knowledge of the local police and Delhi Excise officials, on many shops including the shops of grocery, general merchants, panwalas, rehriwalas and also on patries in these localities. He has further stated that common man told them that all this was not possible without the knowledge and connivance of the local police who hardly took any action against the manufacturers or sellers of the illicit Sura being sold so openly and in such a high magnitude which could be possible only with their connivance and knowledge. This witness Abdul Rashid has also deposed that those people told them that the local police received weekly or monthly bribes from the shopkeepers selling illicit Sura, otherwise they would not give so much protection to them. In his cross-examination by Mr. Ahluwalia, counsel for Delhi Police Abdul Rashid stated that he could not tell the names of the persons who told them that the police people had been receiving 'haftas' from the vendors and those persons were the relations/mourners of the victims of this tragedy and that they assured those persons that they would not disclose their names. He further stated that he could not tell the names of the police officers named by them as receiving the 'Haftas' though they told them that the police official receiving the 'haftas' were Beat Constables of the locality.

Considering the aforesaid evidence in its entirely and the totality of circumstances it is impossible to disbelieve that there was open and free sale of illicit 'Sura' in the garb of ayurvedic preparations on a very large scale going on in Delhi at a very large number of shops including petty shops of panwalas, groceries, general merchants, rehriwalas and even on patris in various localities, with the knowledge and connivance and even with the consent of the local police of some of the police stations in Delhi. Even the evidence referred to above about the receiving of 'haftas' (weekly bribes) by the Beat Constables from the sellers of illicit 'Sura' in the above mentioned various localities can not be disbelieved. In their effort to probe this tragedy the members of the fact finding committee as also Mr. Chandla President of 'Nashamukti Foundation' who constituted this committee must have gone to the various localities referred to above soon after this tragedy and must have met a number of persons in

every locality and must have gone even to the houses of the victims of the tragedy and talked to the inmates thereof. They must have also contacted the various shopkeepers selling 'Sura' and must have also inquired from them as to how this illicit trade of illicit 'Sura' had flourished to such a huge magnitude and they must have told them in reply about the collusion, knowledge and connivance of the local police in their respective localities and also about the 'Haftas' being received from them by the Beat Constables of their localities and the distribution thereof in the police stations amongst the Police Officers of the police stations from the Beat Constables right upto the S.H.Os. Notwithstanding some informities offering in their statements, the depositions of these witnesses who are the members of the fact finding committee constituted by 'Nashamukti Foundation', cannot be disbelieved, except in regard to their depositions that the 'haftas' amounts used to be distributed amongst all the police officers from the Beat Constables right upto the S.H.Os. in the police stations as the evidence on this point looks inadequate and insecure as nobody told the members of the fact finding committee that such a distribution in the police stations took place within their view nor anybody partaking in such distribution told so to the shopkeepers selling Sura who in turn could say so on that basis. Even the relations of the victims of this tragedy had no such knowledge of such a basis and thus even their telling the members of the fact finding committee about such distribution of the 'hafta' amounts being shared and distributed amongst all the police officers in the police stations upto the level of S.H.Os. cannot be relied upon. It may be that such a distribution of 'hafta' amounts amongst the police officers of the police stations may be true but that does not stand proved before the Commission through adequate evidence. Anyhow from the aforesaid evidence the negligence on the part of the local police does stand established in the performance of their duty to check the sale of illicit Sura which was of a gigantic magnitude, selling freely and openly and to anybody and even at odd hours during day and night, even though almost all the manufacturing units, as already observed above, had been closed down, and such a huge sale of illicit Sura in Delhi was, to a large extent, the result of further gross negligence on the part of the Delhi Police officials posted at the borders of Delhi to check the illegal infiltration thereof from the bordering States viz. U.P., Haryana and Rajasthan, into Delhi.

In paras 32 and 33 of the affidavit of Mr. R. Narayana, Excise Commissioner, Delhi wherein he has pointed out that as the clandestine trafficking of ayurvedic preparations was coming from Haryana, Himachal Pradesh, Rajasthan and U.P. and sold in Delhi, the responsibility of these at the manufacturing rested with the Excise Departments of the concerned State Governments and in order to highlight this problem and seek the cooperation of the State Governments letters were sent to Excise Commissioner of Haryana and Punjab wherein their attention was drawn to the fact that the ayurvedic preparations containing more than 11.4% v/v alcohol were being

exported on large scale to Delhi by local manufacturers of neighbouring States and that it was pointed out that perhaps the local manufacturers of the neighbouring States were managing to export these preparations in bulk without paying the Excise Duty to the government. The Excise Commissioners of U.P., Haryana, Rajasthan and Punjab were again reminded by the Excise Commissioner, Delhi in 1990 about the same. There is thus no difficulty in holding that large scale illegal infilteration of ayurvedic drugs had been taking place into Delhi from the neighbouring States without the import permits obtained from Excise Department, Delhi and for that illegal infilteration thereof the officials of Delhi Police who have remained posted at the borders of Delhi have been obviously negligent in checking the said infilteration.

It would be seen that P.K. Chandla, CW-9 has conceded that CWs M.R. Arya and Ram Phal Tyagi and he himself belong to Bhartiya Janata Party (for short B.J.P.) Ram Phal Tyagi, CW-14 has further conceded that he is the General Secretary of B.J.P. Narela District, Delhi and that majority of members of their fact finding committee hails from B.J.P. A suggestion was put to P.K. Chandla in his cross-examination by A.P. Ahluwalia counsel for Delhi Police that no investigation was made by the fact finding committee after the tragedy and that in order to defame the government of the time and to get credit for the B.J.P. the report Ex. CW 9/1 was concocted at a very late stage, but this suggestion was denied by him. A suggestion was also made by A.P. Ahluwalia to CW-12 M.R. Arya which he denied as absolutely wrong that in order to defame the present government and its departments such as police in order to give phillip to their own party they belatedly concocted this report Ex. CW 9/1 and that in fact no bottles of Sura had been seized by them. These suggestions hardly commend themselves and it would be difficult to believe that the Chairman and the members of the fact finding committee and P.K. Chandla would go to the extent of concocting their report Ex. CW 9/1 and would not show the facts correctly therein or they did not go out to various localities to find out the true facts leading to this tragedy or that they would be guided only by narrow political sectionalism so as to bring false facts before the public at large. No doubt this report remains undated but the same appears to be just an incidental omission so that all the members of the fact finding committee could sign the same on one and the same date which perhaps did not occur in the case of one of them. There was hardly any sense in not putting a date on this report, inasmuch as the members of the fact finding committee started the probe soon after the tragedy and even the report could not have been unreasonably delayed. The discrepancy occurring in the cross-examination of Ram Phal Tyagi and Abdul Rashid CWs is not material when Ram Phal Tyagi states that the report was not prepared in his presence by Mr. Chandla but he signed it and some of the members of the fact finding committee had already signed the same though not in his presence while according to Abdul Rashid all the members of fact finding committee were present

when they signed this report. The number of members of fact finding committee being 7 besides its President, this discrepancy could occur and the statement of Ram Phal Tyagi on this point appears correct.

The detection of more than 194 cases by Delhi Police under Delhi ISP Rules wherein approximately 1,34,000 quarters and more than 3,000 halves bottles were recovered from various places under the Excise Act, as stated in his cross-examination by Mr. R. Tiwari, then DCP (Crime) cannot detract from the negligence of the Beat Constables already referred to above, inasmuch as gigantic and flourishing of the illegal trade of illicit Sura/liquor has been found to be the result of the knowledge, connivance and even consent of the Beat Constables of various police stations in the above mentioned localities, and in the face of consent, knowledge and connivance no other plea of exoneration can be available of—not even the plea of recovery of the aforesaid large number of bottles and the detection of more than 194 cases under ISP Rules during the year 1991 by Delhi Police and for the same reason the plea that Delhi Police has multifarious duties to perform such as in regard to law and order, terrorist activities, VIPs etc. etc., nor even that of interim stay orders regarding seizure by Delhi High Court dated 14-6-91 in Writ Petition (Civil) No. 1973 of 91 M/s Delhi Pharmacy & four Others Vs. Delhi Administration, Lt. Governor, Delhi and Commissioner of Police and others, the writ petitioners being of Haryana and Himachal Pradesh, and the interim stay order dated 24-7-91 passed by Delhi High Court in Civil Writ No. 2385/91 M/s Visco Pharma (Regd.) Vs. Delhi Administration, Lt. Governor, Delhi and Police Commissioner, Delhi and Others regarding seizures.

The lone testimony of CW-15 Abdul Rashid uncorroborated by any other witness or any other piece of evidence implicating the Head Constables also in the receiving of 'Haftas' (weekly bribes) from the Sura vendors, cannot be accepted as sufficient evidence to burden the Head Constables with the responsibilities as in the case of the Beat Constables of the localities named by P.K. Chandla and Chairman and members of 'Nashamukti Foundation'.

In view of the above discussion I am of the view that the Beat Constables of the police stations within the jurisdiction of which the localities viz. Jahangirpuri, Sarai Pipal Thalla, Adarsh Nagar, Lal Bagh Jhuggis, Baljit Nagar, Faridpuri and Anand Parbat in Delhi fall, are responsible, as indicated above inside Delhi as also on the borders in Delhi.

The list of dead persons filed alongwith affidavit No. 51 of Mr. R. Tiwari, DCP (Crime) shows the figures police station-wise and the perusal of the same shows that whereas the number of dead persons is not much in most of the police stations, the figures of the persons who died during this tragedy on account of the consumption of

killer Sura is alarming within the areas of two police stations viz. Jahangirpuri and Adarsh Nagar and their figures are specified as under :—

1.	P.S. Jahangirpuri	64
2.	P.S. Adarsh Nagar	46

The total figure of dead persons ultimately found by the Commission has come to 252 and out of this figure some share also goes to these two police stations. The SHOs of these two police stations viz. P.S. Jahangirpuri and P.S. Adarsh Nagar were obviously not very watchful and vigilant in seeing that their subordinate petrolling the various areas in their beats performed their duties properly.

Ramesh Chand Sapra, S.H.O. and Sub-Inspector Baldhar Singh of P. S. Shalimar Bagh, Delhi.

Ramesh Chand Sapra of P. S. Shalimar Bagh has been named only in affidavit No. 6 deposed to by Phool Chand resident of Ambedkar Nagar, Haiderpur, Delhi with the allegation that Ramesh Chand Sapra, S.H.O. and S.I. Baldhar Singh (Divisional Officer) encouraged for their own gain the sale of illicit liquor/sura in Gali No. 6, Ambedkar Nagar, Haiderpur, Delhi by two vendors Ram Sarup and Birju. The evidence furnished against S. I. Baldhar Singh of P. S. Shalimar Bagh, Delhi finds mention in the affidavits deposed to by Man Singh, Ved Ram, Phool Chand and Smt. Meena and these affidavits are respectively affidavits Nos. 2, 3, 6 and 7. Besides these affidavits there is also testimony of C.W. 13 Umesh Lakhanpal.

The deponents of these affidavits appeared as P.W.s Man Singh P.W. 2, Ved Ram P.S. 3, Phool Chand P.W. 6 and Meena P.W. 7 and they proved these affidavits as theirs. They were subjected to cross-examination by the Counsel for S.I. Baldhar Singh. Man Singh P.W. 2 deponent of affidavit No. 2, in his cross-examination by the Counsel for S.I. Baldhar Singh staetd that Ved Ram, Phool Chand and Smt. Meena the deponents of other affidavits were present on the day he got his affidavit prepared and they were all standing at the seat of one typist while he got his affidavit typed from other typist but the Oath Commissioner who attested these affidavits was one and the same person but he did not know that Oath Commissioner and that Bhagirath Verma, Advocate had accompanied him to the said Oath Commissioner and had identified him as Man Singn before him. He was also subjected to cross-examination by Mr. A. P. Ahluwalia, Counsel for Delhi Police wherein he stated that he was once arrested by the police of P.S. Shalimar Bagh, Delhi in the case D. D. No. 22A dated 16-10-91 on the allegations that he had illegaly encroached upon the portion of a park and his 'ballis' lying over there were also removed by the police and he was then arrested by A.S.I. Mahinder Singh but did not know if A.S.I. Mahinder Singh was attached to S. I.

Baldhar Singh. He was also not aware if Sajjan Singh and his sons were arrested in a Criminal Case under Sections 308/34 I.P.C. He denied any relationship with Sajjan Singh but knew that Sajjan Singh and his sons resided in the same village Haiderpur where he resided but the did not know if Manish was another son of Sajjan Singh. He denied that the aforesaid criminal case against Sajjan Singh was investigated by S. I. Baldhar Singh and that he had approached him to seek his help for Sajjan Singh etc. He also denied the suggestion as wrong that in the above mentioned criminal case D.D. No. 22A dated 16-10-91 against himself, he approached S. I. Baldhar Singh to seek his assistance in order to retain his possession over the disputed site. He conceded that he never bribed S.I. Baldhar Singh nor anybody else bribed Baldhar Singh in his presence and that he did not make any complaint to any higher authorities including the police that Baldhar Singh was encouraging the sale of illicit liquor or was taking monthly bribe from anybody. He also denied the suggestion that he was deposing falsely at the instance of Phool Chand who claimed himself to be a leader of Bahujan Samaj Party and wanted to assert his leadership in the area.

Ved Ram P.W. 3, in his cross-examination by Mr. A.P. Ahluwalia, Counsel for Delhi Police stated that he was not read and he was taken to Tis Hazari Courts by Phool Chand alongwith the other deponents and all these affidavits were got prepared and signed by Phool Chand from them and even the stamp papers for these affidavits were purchased by Phool Chand and none of them was taken to the Oath Commissioner at the time of attestation of these affidavits. Regarding the contents of his own affidavit this witness stated that the same were not read over to him by any one. He then stated that he had never seen any police officer taking bribes or encouraging or conniving at sale of Sura and that he did not know S.I. Baldhar Singh nor had ever seen Sura being sold in Gali No. 6, Ambedkar Nagar, Haiderpur, Delhi. He was not cross-examined by the Counsel for S.I. Baldhar Singh obviously for the reason that this witness had taken a complete somersault regarding the deposition made by him in his affidavit even though in his examination-in-chief he proved his affidavit No. 3 by stating that it bore his signatures and was correct. Phool Chand P.W. 6 also proved his affidavit No. 6 as bearing his signatures and also testified to its correctness in his examination-in-chief. In his cross-examination by Mr. A.P. Ahluwalia, Counsel for Delhi Police he conceded that on 13-7-91, Head Constable Krishan Kumar of P.S. Shalimar Bagh was persuading vegetable sellers to clear off the encroachment which they had made on public place and he tried to intervene favouring the vegetable sellers wereupon he was arrested but was not aware if that case was FIR No. 182/91 registered against him Under Sections 341, 353, 332 and 186 of I.P.C. as he was not aware of those provisions of Law but he stated that that case was not investigated by S.I. Baldhar Singh even though he was posted in P.S. Shalimar Bagh and Ramesh Chand Sapra was posted there as S.H.O. at that time. He denied the suggestion as

wrong that he alongwith a dozen of companions tried to commit Breach of Peace at the time of arrest and resisted the arrest by stating on the other hand that he was forcibly brought there by the police which took him alongwith 3/4 persons to the Police Station and he was inside the police station but did not know if any stone throwing was resorted to by his sympathisers nor was he aware if three police officials were injured at that time. He, however, admitted that for this Breach of Peace 11/12 persons were arrested and a separate case was filed by the police against them by way of Challan but he was not aware if that case was investigated by S.I. Baldhar Singh. He denied as wrong the suggestion that in connection with a criminal case against Man Singh as also in connection with these two criminal cases he had been going to S.I. Baldhar Singh and entreating him to help and Man Singh in those cases and when he failed to oblige, became inimical towards Baldhar Singh and that on account of Baldhar Singh not having obliged him and Man Singh, he and Man Singh had falsely deposed against S.I. Baldhar Singh and S.H.O. Ramesh Chand Sapra. He denied as wrong that he procured the signatures/thumb impressions of Ved Ram and Smt. Meena falsely on blank papers saying that he would obtain for them high compensation for the deaths having taken place in their families or that Meena was made to sign on a blank paper at her residence and that she never came to Tis Hazari Courts for her affidavit. In his cross-examination by Mr. L.C. Jain, Counsel for S.H.O. Ramesh Chand Sapra and S.I. Baldhar Singh, this witness Phool Chand denied that he had met S.H.O. Ramesh Chand Sapra in connection with the above mentioned two criminal cases or requested him to favour him and his companions on the plea that those cases were false nor did he make any complaint against S.H.O. Ramesh Chand Sapra or S.I. Baldhar Singh to any higher authorities. But, he asserted that on the other hand S.H.O. Ramesh Chand Sapra had given a news item in a newspaper 'Dainik Jagran' asserting that he (Phool Chand) and his companions had manhadled the police personnel. This witness is the local President of Bahujan Samaj Party but according to him Man Singh has no connection whatever with that party. Towards the end of his cross-examination Phool Chand stated that had these deaths not occurred he would not have known that these two officers were well within their knowledge of the sale of illicit liquor.

Smt. Meena P.W. 7 proved her affidavit No. 7 as also her signatures to in and being correct. She further stated that she understood the contents of that affidavit but she took a complete somersault in her cross-examination by Mr. A. P. Ahluwalia, Counsel for Delhi Police when she stated that her signatures were obtained by Phool Chand at her house and not in courts and that he had brought the paper of the affidavit blank to her when she was made to sign it. She further stated that this affidavit was not got typed in her presence not was it shown to her after having been typed out and that she is not aware about the contents of this affidavit. She also stated that she

did not know if Sura was being sold in Gali No. 6 nor was she aware if police protection or connivance was there in the sale of Sura in Gali No. 6 and that she did not know any S. I. Baldhar Singh.

Umesh Lakhanpal CW 13 is a member of Nashamukti Foundation, Punjabi Bagh, Delhi and he was also a member of the Fact Finding Committee appointed by this Foundation for conducting the probe into this tragedy, and the Fact Finding Committee comprising of one Chairman and seven Members submitted their report to Nashamukti Foundation and that report is Ex. C.W. 9/1. This witness is also the Chief Reporter of the Hindi Daily "Punjab Kesari" and in that capacity and also as a member of the Fact Finding Committee alongwith other members of the Fact Finding Committee jointly as well as in smaller groups and even separately visited various localities including Haiderpur and in his statement he has deposed that when he went to the localities separately he was told by the shopkeeper sin those localities that they used to pay bribes to the local police and that the beat constables had been collecting the weekly bribes from the shopkeepers selling Sura. He then further stated that people in Haiderpur told him that if there was any dispute between the shopkeepers selling Sura on the one hand and beat constables on the other regarding the bribes amount the Divisional Sub-Inspector Baldhar Singh of P.S. Shalimar Bagh used to settle under threats that he would close their shops. In his cross-examination by Mr. A.P. Ahluwalia, Counsel for Delhi Police, he stated that he did not personally know Sub-Divisional Officer S.I. Baldhar Singh and that he himself had never seen him receiving bribes. This witness Umesh Lakhanpal was then subjected to cross-examination by Mr. L.C. Jain, Counsel for S.I. Baldhar Singh wherein he stated that he knew Bahujan Samaj Party but did not knew any Phool Chand or Man Singh local leaders thereof and that he went to Village Haiderpur in connect on with the Fact Finding and twice he went there alone and third time he went there with 3/4 members namely, M.R. Arya, Abdul Rashid and Chandla and that these three visits were separated from each other by one or two days. He then stated that the first visit was made by him on 10-11-91 and the name of S.I. Baldhar Singh was taken by one Panwala when he (This witness) was alone in Haiderpur on one of these days but he hastened to correct himself by stating further that the name of Baldhar Singh was taken not on one of those three visits but on a visit earlier to his aforesaid one visit to Haiderpur even before the formation of the Fact Finding Committee and that visit of his had taken place on 7-11-91 and 8-11-91 and that he could identify that Panwala as also his shop, though he did not know his name. He did not remember the Gali No. wherein the shop of the said Panwala was situated and he did not recollect if he gave the name of S.I. Baldhar Singh to any newspaper as a news item though he had been giving to Punjab Kesari for about a fortnight after this tragedy. He denied as wrong the suggestion that he was not told the name of Baldhar Singh by any Panwala on

7th or 8th November, 1991 and for that reason he did not give the name of S.I. Baldhar Singh as news item. He further stated that he was not told the name of any police officer as such taking bribes from Sura Vendors. He then stated that he had noted down the name of S.I. Baldhar Singh in his notings but never had the occasion of meeting him in P.S. Shalimar Bagh. He denied as wrong the suggestion that his cousin brother (Uncle's son) was reported against in P.S. Shalimar Bagh by his tenant regarding a quarrel between them and that he (this witness) had approached S.I Baldhar Singh in that connection for a favour to his cousin. On the other hand he stated that in fact he had no uncle and thus there was no question of there being any son of his uncle. He denied as wrong the suggestion that he was falsely implicating Baldhar Singh out of personal enmity for not obliging him in his cousin's case.

As already pointed out, there is only one affidavit which had implicated by name SHO Ramesh Chand Sapra and that affidavit is affidavit No. 6 deposed to by Phool Chand P.W. 6 but it would not be safe to rely upon this affidavit of Phool Chand concerning SHO Ramesh Chand Sapra or his statement as P.W. 6 on that point in view of the above mentioned criminal case of P.S. Shalimar Bagh against him wherein he was arrested and in connection with which Ramesh Chand Sapra had given a news item in the newspaper in "Dainik Jagran" asserting therein that he (Phool Chand) and his companions had manhandled the police personnel, which facts could give rise to enimical feelings in the mind of Phool Chand to implicate SHO Ramesh Chand Sapra of P.S. Shalimar Bagh, so as to induce him to depose falsely against him. SHO Ramesh Chand Sapra has filed only one affidavit in defence and that is his own in which he has asserted his innocence besides the motivation of Phool Chand to implicate him falsely.

Ved Ram P.W.-3 and Smt. Munaki P.W.7 have taken a complete somersault in their respective cross-examination from the affidavits deposed to by them rendering their affidavits against S.I. Baldhar Singh doubtful.

The allegation of bribes having been taken by S.I. Baldhar Singh, does not stand proved inasmuch as there is hardly any evidence in respect of the same especially when Man Singh P.W.2 conceded in his cross-examination that he never bribed S.I. Baldhar Singh nor anybody else in his presence.

The statement of Phool Chand P.W.6 towards the close of his cross-examination that on account of this tragedy involving deaths of a very large number of persons he has stated in his affidavit that S.I. Baldhar Singh encouraged the sale of Sura/liquor and that had these deaths not occured, he would not have known that these two officers were well within their knowledge of the sale of illicit liquor, takes much of the venom out of the sting against S.I. Baldhar Singh.

In defence S.I. Baldhar Singh has filed four affidavits including his own and the same are D.W.-23 to D.W.-26. In his affidavit D.W.-23 S.I. Baldhar Singh has asserted that both Man Singh and Phool Chand P.W.s are the local leaders of Bahujan Samaj Party and claim to be leaders of the Jhuggi Jhopri dwellers and are fighting for the cause of down trodden to Jhuggi Jhopri dwellers and they organised demonstration against the local police of P.S. Shalimar Bagh, as the police resisted and foiled their attempts to grab and encroach upon the public land under the garb of the welfare of Jhuggi Jhopri dwellers at P.S. Shalimar Bagh for committing the offence. Man Singh was arrested by ASI Mahender Singh who was the emergency officer at P.S. Shalimar Bagh at that time and he himself was the Divisional Officer who was approached by Man Singh to take his side for the illegal trespass and encroachment which was declined for which reason he is having grudge against the deponent of this affidavit. It is further asserted that Man Singh is also having grudge against S.I. Baldhar Singh as he had not favoured Man Singh who also tried many a time to approach him directly and indirectly in a criminal case under Sections 452/308/34 I.P.C. P.S. Shalimar Bagh in which his cousin brother Sajjan Singh alongwith his two sons Manish and Satish was arrested.

Regarding Phool Chand P.W. 6, S.I. Baldhar Singh has asserted that he was arrested on 13-7-91 alongwith three others in case FIR No. 182/91 under Sections 341/353/186/332 for causing injuries to Head Constable Shrikishan and to deter him from performing his lawful duties and for assaulting and restraining him and the Investigating Officer of that case was ASI Rameshwar Dass of P.S. Shalimar Bagh and his followers numbering about 100 to 125 in the area finding him in the police custody attacked the police station on 13-7-91 itself wherein three policemen namely, Constable Shiv Kumar, ASI Raghubir Singh Dehiya and Constable Jitender Kumar received injuries and a case FIR No. 183/91 under Sections 147/148/149/353/332/186 I.P.C. was registered against eleven persons and the Investigating Officer of that case was the deponent of this affidavit S.I, Baldhar Singh and therein Phool Chand had tried many a time directly and indirectly to approach him but he always refused to oblige him and for that ill will against deponent Baldhar Singh he has threatened many a time to involve him at available opportunity in some matter and thereby in company and in criminal conspiracy of P.W. Man Singh has manouvered and procured the affidavits referred to above.

The aforesaid facts would naturally create a grudge in the minds of P.W.s Man Singh and Phool Chand to involve S. I. Baldhar Singh by making allegations, referred to above in their affidavits, and thus do not afford a safe or a reliable evidence against him.

Regarding Umesh Lakhanpal, S. I. Baldhar Singh in his aforesaid affidavit has deposed that he too is a resident of Haiderpur and had in conspiracy with P. W. 6 Phool Chand published by name a news item in his newspaper "Punjab Kesari" levelling allegations against him that he did not register a case of rape on the complaint of one Smt. Pushpa and this information was supplied by Umesh Lakhanpal to other newspapers also but none of those newspapers named S. I. Baldhar Singh and only charged the police in general and that Umesh Lakhanpal charged him without verifying the facts that S. I. Baldhar Singh had no connection with registering or not registering the case on the complaint of Smt. Pushpa but acted on the information and advice of P. W. Phool Chand, who has malice and grudge against him. S. I. Baldhar Singh has also filed a photocopy of the aforesaid news item in the daily "Punjab Kesari".

In his affidavit S. I. Baldhar Singh has further deposed that Umesh Lakhanpal also approached him to favour his cousin brother one Anil who is the son of the sister-in-law of one Bali Ram who is the uncle of Umesh Lakhanpal as Anil had a quarrel with Mithai Lal a tenant of Bali Ram on 11-1-92 for which DD No. 18-A dated 11-1-92 was registered at P.S. Shalimar Bagh and the enquiry was assigned by the Duty Officer to Head Constable Devender Singh who used to work with S. I. Baldhar Singh. It is further deposed to in this affidavit that when contacted by Umesh Lakhanpal on 11-1-92 in the night when the injured Mithai Lal was in his room, S. I. Baldhar Singh told Umesh Lakhanpal that he was not conducting the said inquiry and that he should have a talk with Head Constable Devender Singh but Umesh Lakhanpal told him that Head Constable Devender Singh was working with him and so he should exert his influence over him and should get the matter compromised but he refused to intervence which angered Umesh Lakhanpal who threatened him with dire consequences and since then was having malice against him.

The affidavit deposed to by Head Constable Devender Singh D.W. 24 and by Mithai Lal D.W. 25 support the affidavit of S.I. Baldhar Singh in regard to the portions pertaining to them and already referred to above.

Affidavit D.W. 26 is deposed to by Mahender Singh resident of Village Haiderpur wherein he has testified that both Phool Chand and Man Singh are the leaders of Bahujan Samaj Party and always take confrontation with local police in order to establish their position and status amongst the folks of Jhuggi-Jhopri dwellers and also to claim that they are the champions of their cause and after this Sura Tragedy they contacted the victims of the tragedy and excited them to rise against the administration and also against the police and they, out of malice against S.I. Baldhar Singh pursuaded Smt. Meena, Pushpa and Ved Ram P.W.s of Village Haiderpur and procured their affidavits on the pretext that they would file those affidavits before the Government

Authorities to get them compensation but in fact used these affidavits against S.I. Baldhar Singh in particular and against the police and administration in general and that all these facts were told to him later on by Man Singh P.W. 2 himself as he is having good relations with him.

Copies of the relevant FIRs and DDs have been filed by S.I. Baldhar Singh alongwith his affidavits filed in defence.

There is no doubt that element of grudge is there against S.I. Baldhar Singh in the minds of both Phool Chand and Man Singh, as would be made out from the facts stated above and emerging from the affidavits filed by S.I. Baldhar Singh in defence. Grudge also appears to be there between Umesh Lakhanpal and S.I. Baldhar Singh. Moreover, Umesh Lakhanpal received the information against S.I. Baldhar Singh only from one solitary Panwala when he separately visited the locality and not in the company of other members of the Fact Finding Committee constituted and appointed by Nashamukti Foundation to probe into this tragedy and that solitary information from Panwala may not be very reliable.

As already pointed out above, other P.Ws. viz. Ved Ram, Smt. Munaki and Smt. Pushpa took a somersault from their respective affidavits implicating S.I. Baldhar Singh.

For the aforesaid reasons it does not look safe to act upon the testimony/ affidavits of the aforesaid witnesses appearing against Divisional Officer S.I. Baldhar Singh. It has already been pointed out above that there is no reliability of lone evidence of P.W. 6 Phool Chand against SHO Ramesh Chand Sapra and consequently they are held not responsible for encouraging or patronising or conniving at the illegal sale of Ayurvedic sale of Ayurvedic Sura in Gali No. 6, Ambedkar Nagar, Haiderpur, Delhi by two vendors Ram Sarup and Birju.

Gurmeet Singh, SHO of Police Station Adarsh Nagar, Delhi

The evidence against SHO Gurmeet Singh of P.S. Adarsh Nagar finds mention only in the testimony of CW-14 Ram Phal Tyagi one of the members of the Fact Finding Committee constituted by 'Nashamukti Foundation' for probe into this tragedy. The testimony of this witness shows that on the night of 5-11-91 he came to the cremation ground of Jahangirpuri and found the dead bodies burning and there was left no space for any more dead bodies and that SHO, Gurmeet Singh of P.S. Adarsh Nagar was present there and hundreds of persons gathered over there were asking the SHO as to why he was recording the death as 'natural deaths' whereas they had died on account of consuming the killer 'Sura' and the SHO replied that the relation of the dead persons were getting the deaths recorded as 'natural deaths' voluntarily and

of their own accord, and that the entire public assembled there insisted upon the SHO to get the postmortem examination done on the dead bodies which were reaching there and not till then consigned to flames and then thereafter the SHO started taking the dead bodies for postmortem. The public assembled there were crying out at the face of the SHO that he and the local police from Beat Constable to the SHO of P.S. Adarsh Nagar were responsible for the said tragedy and that the Sura and illicit liquor were being sold openly in almost each and every shop in the areas under the jurisdiction of P.S. Adarsh Nagar with their connivance and knowledge, at a very large scale and openly and day and night and to anybody. His testimony further shows that the public at that place was also saying that SHO, Gurmeet Singh was getting Sura bottles loaded in trucks by his local police officials and getting the same destroyed in the canal, parks or deserted places available, to cut down the size of the tragedy and the consequent responsibility of the police in respect thereof. This witness has also stated that he went to the houses of each and every victim of the killer Sura and the residents thereof told him that Sura was being sold openly at a very large scale with the knowledge, connivance and active participation of the local police of P.S. Adarsh Nagar and P.S. Jahangirpuri. In his cross examination by Mr. A.P. Ahluwalia, counsel for Delhi Police, this witness conceded that nobody told him that he had paid bribe to SHO, Gurmeet Singh or to somebody else for him. Regarding the burning of the dead bedies at the cremation ground without resort to postmortem, this witness stated just the reverse of what he had stated earlier, in as much as he has now stated that Gurmeet Singh did tell the people assembled over there that police would take action against those persons who would burn dead bodies without posmortem. In reply to a question by the Commission he replied that he had asked Gurmeet Singh how without resort to postmortem the dead bedies earlier burnt there had been cremated and Gurmeet Singn replied that those dead bodies should not have been cremated without postmortem and that the cremation of those dead bedies was illegal/irregular. This witness further admitted in reply to Commission's question that Gurmeet Singh had arrived thereafter he and his companions had reached there. This would go to show that Gurmeet Singh was no party to the dead bodies, if any, burnt there without resort to postmortem and that on the other hand he himself was calling such cremation without postmortem as illegel/irregular, and that Gurmeet Singh had arrived there only after this witness and his companions reached there.

When this witness Ram Phal Tyagi talked of the public at the cremation ground saying that SHO, Gurmeet Singh was getting Sura bottles loaded in trucks by his local police officials and getting the same destroyed in the canal, parks or deserted places available to cut down the size of the tragedy and the consequent responsibility of the police in respect thereof, that may be only a misapprehension

in the mind of the people assembled over there whereas Gurmeet Singh, SHO P. S. Adarsh Nagar might be doing all that with another intention so that the Sura bottles may not be consumed by many others so as to cause their death and thus thought it advisable to have the same taken away in trucks and destroyed at the above mentioned places so as to be beyond the reach of the persons used to drinking Sura.

To my mind the aforesaid evidence, whatever, against the SHO, Gurmeet Singh is not adequate or satisfactory much less sufficient to implicate SHO, Gurmeet Singh of P. S. Adarsh Nagar, Delhi.

In defence SHO Gurmeet Singh has filed three affidaivts including his own and the same are DW-28 to DW-30. Affidacit DW-28 is deposed to by him and therein he has asserted his innocence in the matter and has, on the other hand, deposed to strict vigilance kept in the area of P. S. Adarsh Nagar. He has also mentioned in his affidavit that he has been working as SHO of P.S. Adarsh Nagar since 1990 and because of his good work the Administration gave him out of turn promotion and was posted as SHO, Adarsh Nagar, and had also been awarded President Police Medal for gallantry in the year 1990 and his work was appreciated a number of times for which he was issued commendation certificates/cards by senior officers. The other two affidavits DW-29 and DW-30 are deposed to by Mahavir Prasad Garg and Ramesh Pal Mehta. M.P. Garg has stated in his affidavit that he is the President of Bhushan Bhawan Officers Welfare Association while R.P. Mehta has in his affidavit described himself as President of the Federation of Welfare Association, Adarsh Nagar wherein they have supported SHO Gurmeet Singh by deposing that he was quite effective in curbing and containing the activities of bad characters and that they had never heard or noted any police official or Beat Constables accepting any bribe from any body. These two affidavits do not inspire any confidence and appear to have been manoeuvred and obtained by SHO Gurmeet Singh by using his influence on these two persons. Any how the entire defence evidence was not at all needed in view of the inadequacy, as already observed above in respect of the testimony of the loan witness CW-14 Ram Phal Tyagi.

In view of what has been stated above there does not appear any satisfactory or convincing evidence against SHO, Gurmeet Singh of P.S. Adarsh Nagar, Delhi, so as to hold him involved in or responsible for this tragedy.

Health Ministry of Government of India and Drug Controller (India)

Roop Narain CW-16 appeared before the Commission and made a statement of his own wherein he indicted inter-alia the concerned officers of the Health Ministry of the Government of India for this tragedy.

In Annexure 'C' of affidavit No. 1 deposed to by Dr. V.P. Varshney, Drug Controller, Delhi, the then Drug Controller, Delhi Dr. J. L. Kaul had written on 20-11-86 to the Drugs Controller (India), New Delhi suggesting ban on the ayurvedic preparations like Mritsanjivani Sura or discouragement of their use as under :—

> "My main purpose in writing this letter to you is to request you to get the matter examined by the Ayurvedic Advisor, Ministry of Health, Govt. of India. Because of their great potential and liability for abuse and little therapeutic value preparations like Mritsanjivani Sura could be banned or their use discouraged".

This suggestion was again repeated vide Annexure 'D' of the same affidavit and this Annexure 'D' is the letter dated 12-11-91 addressed by Dr. V.P. Varshney to the Drug Controller (India), but it would be seen that this letter Annexure 'D' was written after the tragedy in question.

Notice under Sec. 8(B) of the Commissions of Inquiry Act, 1952 was issued by the Commission to the Secretary, Ministry of Health, Government of India, New Delhi and in response to the same Drug Controller (India), Directorate General of Health Services, Ministry of Health and Family Welfare, Nirman Bhavan, New Delhi-110011 appeared and the copies of the material affecting them were provided. Drug Controller (India) represented not only himself but also the Ministry of Health, Government of India and he filed his own affidavit in rebuttal to clarify the position.

Dr. Prem. K. Gupta is the Drug Controller (India) and affidavit, referred to above, has been deposed to by him and therein he has replied to the indictment levelled by Roop Narain CW-16 against the Ministry of Health, Government of India as well as the assertion made in the affidavit of Dr. Varshney, Drug Controller, Delhi that no action was taken on the suggestion of the Drug Controller, Delhi to ban such like ayurvedic preparations or to discourage the use thereof as the same has very little therapeutic value.

This affidavit has a number of annexures supporting the various paras of this affidavit.

Para 3 to 11 of this affidavit is reply to the indictment made by Roop Narain CW-16 and the nutshell thereof is that under the Drugs Act the licence to manufacture

ayurvedic drugs is granted/renewed by the licencing authority appointed by the respective State Governments and they have the powers to cancel or suspend the licences issued. It is further mentioned therein that the Central Government has powers to make Rules under Sec. 33(N) of the Drugs Act and to prepare standards for ayurvedic drugs in consultation with the Technical Advisory Board appointed under Sec. 33(C) of the Drugs Act. It is further stated that the standards for ayurvedic drugs are prepared by the Ayurvedic Pharmacopeia Committee which has also prepared Ayurvedic Formulary of India, Part I and II consisting of 444 and 192 formulations respectively.

It would be seen that Roop Narain CW-16 had not specified as to how the concerned officers of the Health Ministry of the Government of India were responsible for this tragedy and he made only a vague statement to that effect, and the above mentioned division of powers between the concerned officers of the State Government and the Central Government would clearly go to show that Drug Controller (India) has no responsibilty towards the tragedy in question nor any other officer of Health Ministry of the Government of India is responsible for that.

Para 13 of the affidavit of Dr. Prem. K. Gupta, Drug Controller (India) shows that on receipt of the letter of Drug Controller, Delhi dated 20-11-86 (Annexure 'C' of Dr. Varshney's affidavit) an ad hoc committee under the Chairmanship of Professor Namjoshi was set up on 4-2-87 which was directed to submit its report which inter-alia had one of its terms of reference, to recommend penal measures for misuse of the ayurvedic drugs such as Mritsanjivani Sura, Maha Drakshasav etc. Para 14 of this affidavit shows that ad hoc committee met twice on 27-3-87 and 15-12-87 and one of its decisions was as follows :—

> "(a) the Mritsanjivani Sura is a life saving drug and has no adverse effects of its own, it was felt that banning may not be advisable".

The presence of therapeutic value of the ayurvedic drugs viz. 'Karpoor Asav' Mritsanjivani Sura and Maha Drakshasav is mentioned in para No. 4 of this affidavit and the same is reproduced below :—

> "That the drugs Karpoor Asav, Mritasanjivani Sura, Maha Drakshasav are included in the standard Ayurvedic text books listed in the first schedule of the Drugs and Cosmetics Act and acclaimed to have therapeutic value when used in the prescribed doses".

The Drugs Technical Advisory Board considered the recommendations of the ad hoc committee in its meeting held on 4-5-90 and they also did not suggest the ban on the ayurvedic drugs Mritsanjivani Sura and Maha Drakshasav and rather

suggested some measures in respect of the same regarding effective alcoholic concentration and colouring therein as also the sizes of packings and the dispensing thereof under prescription of Registered Medical Practitioners. The decision of the Drug Technical Advisory Board was circulated by the Deputy Advisor (Ayurved) to all State licencing authorities as guidelines for implementation on 13-11-90, and these facts including the recommendations of the said Board find mention in para No. 15 of this affidavit. Para No. 16 of this affidavit shows that the recommendations of the Drugs Technical Advisory Board after vetting by the Ministry of Law has now been notified as draft rules Gazette of India on 16-12-91 inviting public comments, objections or suggestions within 30 days from the date on which copies of Gazette are made available to the public. It is further stated in this para that notification inter-alia limited the alcoholic content in Mritsanjivani Sura and Maha Drakshasav to 16% and also limited the size of packing in Karpoor Asav, Ahipenasava, Mrigamadhasava to 15 ml. in Mritsanjivani Sura to 30 ml. and Maha Drakshasav to 120 ml.

The ban or discouragement of the use of such like ayurvedic medicines proposed by the Drug Controller, Delhi vide his letter Annexure 'C' dated 20-11-86, referred to above, on the ground that the same had little therapeutic value, cannot be said to be reasonable and the same hardly commended itself because these medicines, if genuinely prepared, are innocuous by themselves and are also health giving if consumed in prescribed dozes but become dangerous to health if some poisonous substance is added thereto or substituted in their place wholely or partially.

Uuder the circumstances there was no lapse on the part of any officer of the Health Ministry of the Government of India, New Delhi nor on the part of the Drug Controller (India) and I hold accordingly.

Secretary (Medical), Delhi Administration, Delhi.

In reply to the Notice sent to Secretary (Medical), Delhi Administration, Delhi under Section 8-B of the Commissions of Inquiry Act, 1952 one affidavit was filed and the same has been deposed to by Shri Jalaj Srivastava, Joint Secretary (Medical), Delhi Administration, wherein this department had tried to explain its position vis-a-vis the assertions made against them by Drug Controller, Delhi regarding the non-creation of any further posts of Drug Inspector (Ayurvedic) even though there was only one Drug Inspector (Ayurvedic) who could not cope up with the work, as also regarding the point of a testing laboratory for which reason difficulty was being experienced in getting tested the samples, for which reason samples were not lifted by the Drug Inspector (Ayuvedic) frequently.

Drug Controller Dr. V. P. Varshney P. W. 1 was not subjected to cross-examination on behalf of Secretary (Medical), Delhi Administration nor the Joint Secretary Shri Jalaj Srivastava was cross-examined on behalf of the Drug Controller, Delhi.

The affidavit deposed by Shri Jalaj Srivastava has three annexures R. 1 to R. 3.

The perusal of para 4 of the affidavit of Shri Jalaj Srivastava shows that a proposal to create 12 posts of difierent categories including two posts of Drugs Inspectors was received from the Drugs Controller, Delhi vide letter dated 6-6-1986 and that proposal did not specify if any post was required for Drug Inspectors (Ayurvedic). On receiving the said proposal and before examining the same, the Drugs Controller's office was asked to submit the requisite information as to the number of inspections carried out in the manufacturing units during 3 months prior to the year 1986 as also for the entire year of 1986 and accordingly the aforesaid data was supplied by the office of the Drugs Controller.

Annexure R-1 details the number of inspections carried out during the three months preceding the year 1986 and according to the same the Ayurvedic Drug Inspector Dr. S. K. Sharma carried out as many as 9 inspections of manufacturing premises and 'Nil' regarding the sale premises. It further shows that Dr. S. K. Sharma did this work only during one month.

Annexure-2 sets out the details of work done by the various officials in the office of the Drugs Controller and the Ayurvedic Drugs Inspector Shri S. K. Sharma is shown at Serial No. 6 and his work shown therein during the year 1986 is as under :—

(i)	Inspections of Manufacturing Units	168
(ii)	Inspections of Sales premises	'Nil'
(iii)	Number of complaints investigated	15
(iv)	No. of days he attended the courts	'Nil'
(v)	Inspections of hospitals, dispensaries and Medical Stores	'Nil'
(vi)	Additional work assigned.	'Nil'

Annexure R-3 sets out the minutes recorded by Shri S. M. H. Naqvi, Assistant Director of Administration Reforms Department, Delhi Administration, Delhi which are also signed by Secretary (Finance) and Secretary (AR) and the perusal there of shows that the position regarding Drugs Inspectors was reviewed and it was found that there was sufficient cushion to gear up the work further which meant that creation of further posts of Drugs Inspectors was not warranted. It is also mentioned therein that the position could be reviewed after the four vacant posts came in position.

On going through paras 7 to 11 of the said affidavit it is revealed that a proposal for creation of 9 posts including posts already proposed was received in the Medical Department of Delhi Administration and it was again referred to Administrative Reforms Department which did not accept the same. The position was again examined in the year 1992 and the report was called for the year 1991 from which it was found that Drugs Inspector (Ayurvedic) had not inspected any sales establishments during the year 1991-92 even though he had inspected as many as 153 manufacturing units and further that no sample was lifted and this position is made out from Annexure R-2.

Para No. 10 of this affidavit shows that office of the Drugs Controller submitted the report showing the work of the Drugs Inspector (Ayurvedic) during the last three years i.e. 1989-90, 1990-91 and 1991-92 and the details thereof are set out as below :—

Sl. No.		1989-90	1990-91	1991-92
(a)	No. of Inspections of Ayurvedic Manufacturing Units	101	114	153
(b)	No. of samples taken	11	Nil	6
(c)	No. of sales out-let inspected	Nil	Nil	Nil

From the above it is pointed out by Mrs. Ahlawat, Advocate, Counsel for Secretary (Medical), Delhi Administration that it would be seen that Drugs Inspector (Ayurvedic) did not inspect any sales out-lets in Delhi at any point of time viz. during the year 1986 and during three months immediately prior thereto as also during the last three years 1989-90, 1990-91 and 1991-92, and as Para No. 11 of the affidavit shows no letter/proposal or specific request was ever received for creation of post of Ayurvedic medicines. In para 9 of the affidavit it is stated that after the present 'Sura' tragedy, the matter was again examined under the scheme "Strengthening of Drugs Control Organisation" and another post of Inspector (Ayurvedic) was sanctioned.

Mrs. Ahlawat has submitted that paras 12 to 15 of this affidavit pertain to Allopathic Drugs Inspector only. So these paras have no relevancy before the Commission which is called upon to decipher the lapses, if any, on the part of the Drugs Department (Ayurvedic Section) and its officers/officials.

Mrs. Ahlawat has pointed out from para No. 16 of the affidavit that earlier Delhi Administration did not have Food Laboratory of its own but now it has its own combined Food & Drugs Laboratory at Lawrence Road, Delhi which will start functioning shortly. It is further pointed out in this para of the affidavit that P. F. A. Department, Delhi Administration had one Laboratory. It is further pointed out by Mrs. Ahlawat that there is no hitch in the Drugs Department (Ayurvedic) sending the sample of ayurvedic drugs to CFSL and Delhi Excise Laboratory and that they had been sending

samples to Banglore, Calcutta and Ghaziabad for test and analysis and even now they are making use of those Laboratories.

From the above discussion there appears no lapse on the part of Medical Department of Delhi Administration, Delhi.

State of U. P. Including the Drugs Department, Excise Department and Ministry of Health.

As already pointed out in this report, Rule 162 of the Drugs & Cosmetics Rules, 1945 prescribes the duties of Inspectors, specially authorised, to inspect the manufacture of Ayurvedic (including Siddha) or Unani Drugs whereby it is the duty of an Ayurvedic Drug Inspector to inspect not less than twice a year, all manufacturing units of ayurvedic drugs within the area allotted to him and to satisfy himself that the conditions of the licence and the provisions of the Drugs Act and these Rules are being observed, and to send forthwith to the controlling authority a detailed report in respect of each inspection, and also take samples of the drugs manufactured on the premises and to send them for test or analysis in accordance with these Rules, as also to institute prosecutions in respect of violation of the Drugs Act and these Rules. It has been alleged by Shri M. L. Bhardwaj, CW-11 that no duties have been performed by Dr. Sheoraj Singh, Director of Ayurvedic and Unani Services, Sarojini Naidu Marg, Lucknow (U. P.); Dr. Anand Bhushan Sharma, Medical Officer, Government Ayurvedic Dispensary, Brijghat, Ghaziabad District and Shri Mangal Dev Trivedi, Asstt. Drug Controller (Ayurvedic and Unani), Lucknow (U.P.) as imposed upon them by law in as much as no inspections of M/s Karnal Pharmacy, Village Manota, District Ghaziabad had been done by anyone of them, even though statutory duties were cast upon them in this regard. All these three officers have filed their respective affidavits in defence in their individual capacity as well as representing the entire Drug Department of the State of U. P. Affidavit of Dr. Sheoraj Singh is DW-53; that of Mangal Dev Trivedi is DW-54 while that of Dr. Anand Bhushan Sharma is DW-55. Few more affidavits in defence have been filed by the State of U.P. and those affidavits are DW-52 deposed to by R. S. Prasad, Excise Inspector, Simbholi Distilery, Ghaziabad; DW-56 deposed to by Sat Kumar Sharma, Mandliya Mantry, Ayurvedic and Unani Ministerial Service Association U.P., Meerut Mandal, Meerut and DW-60 deposed to by Shri Ram Niwas, Joint Secretary, Medical Education, Government of U.P., Lucknow.

Rule 162 of Drugs & Cosmetics Rules, 1945 set out above talks about the duties of Inspectors but not of the Director of Ayurvedic and Unani Services which position is occupied by Dr. Sheoraj Singh. Anyhow when inspection reports are sent to him in his capacity as controlling authority, by the Ayurvedic Drug Inspectors, of various parts

of U.P. under the aforesaid Rule, he can obviously acquaint himself whether the Ayurvedic Inspectors are doing their duties or not mandated under this Rule and if he finds that any Inspector is not doing his duties, he can be pulled up by the Director and can suggest and even impose corrective measures in that regard. In para No. 15 of his affidavit Dr. Sheoraj Singh has stated that he has been issuing from time to time instructions to his subordinates for inspecting the manufacturing units and he has referred by way of example a D.O. letter dated 27-7-90 addressed by him to the Divisional Unani and Ayurvedic Officers, Principals of Ayurvedic Colleges wherein it was notified to them that they should undertake periodic inspections of manufacturing units, take samples of the products of the Ayurvedic Pharmacies and send the same for laboratory test in order to assess whether the licence holders were maintaining quality of product as required in the licence. Annexure-3 of his affidavit is the copy of the said instructions. According to him similar instructions were issued later on also. But this is not the end of the matter and something more was also expected of Dr. Sheoraj Singh, as already pointed out above, that he was to pull up, correct and even punish a delinquent Ayurvedic Inspector if his performance did not match the minimum requisite under Rule 162 which requires every Ayurvedic Inspector to inspect atleast twice a year the manufacturing units within the area allotted to him, and the aforesaid instructions manifestly run short of that and to that extent Dr. Sheoraj Singh has been negligent and this omission is lapes on his part.

Paras 4 and 6 of the affidavit of Dr. Sheoraj Singh indicate that the State Government had authorised the Divisional Ayurvedic and Unani Officers, Medical Officers and also the Principals of Ayurvedic and Unani Colleges, wherever they existed, to act as Inspectors in addition to their normal duties and as such they had thus been empowered to undertake inspections of the various manufacturing units within their respective jurisdiction, and have been inspecting the same from time to time and were expected to forward their inspection reports to the Directorate. It would be noted that Dr. Anand Bhushan Sharma, Medical Officer, Government Ayurvedic Dispensary, Brijghat, Ghaziabad District (U.P.) was consequently the specially authorised Ayurvedic Inspector in view of the aforesaid authorisation by the State Government. Affidavit DW-55 deposed to by Dr. Anand Bhushan Sharma shows in its para No. 2 that he inspected M/s Karnal Pharmacy on 30-7-90 in connection with the application for change of premises and that a copy of the Inspection Report is annexure-I of this affidavidt. Para No. 4 of this affidavit speaks about the next inspection by him of Karnal Pharmacy on 29-8-91 and he submitted his inspection report. This shows that Dr. Anand Bhushan Sharma, an authorised Inspector, did not visit Karnal Pharmacy, Ghaziabad even twice a year which is the minimum mendate under Rule 162 referred to above. Inspections of manufacturing units may be more than twice but according to the minimum requirement it must not be less than twice. Dr. Anand Bhushan Sharma having inspected M/s Karnal Pharmacy,

Ghaziabad only once in two years falls short of the performance of his statutory duty, even though this pharmacy was within his jurisdictional area. Dr. Sheoraj Singh failed to take note of this deficiency on the part of Dr. Anand Bhushan Sharma and even if he took note of it, no further corrective action was taken in respect of the same and consequently not only Dr. Anand Bhushan Sharma was negligent in the discharge of his aforesaid statutory duties, Dr. Sheoraj Singh too was also negligent thereof.

It has been suggested and even contended by the learned counsel Mr. A.K. Srivastava representing the State of U.P. including the departments of Drugs and Excise as well as the above mentioned three officers, that these officers had been sought to be inolved and implicated by M.L. Bhardwaj only out of spite, malice and grudge he nurtured and harboured against them. This contention is of no import because if the failure of statutory duties is there as an established fact, the grudge or malice of M. L. Bhardwaj becomes irrelevant. As already found out above, Dr. Sheoraj Singh and Dr. Anand Bhushan Sharma felt in the discharge of their statutory duties and so any grudge on the part of M.L. Bhardwaj against them looses relevance and even need not be taken note of much less discussed.

In his affidavit DW-54 Sh. Mangal Dev Trivedi, Asstt. Drug Controller (Ayurvedic and Unani) Services U.P., Lucknow has denied the allegations as false made against him by M. L. Bhardwaj. The perusal of his affidavit shows that M.L. Bhardwaj had unauthorisedly inspected M/s Precise Laboratories and a complaint was made to the Director, Dr. Sheoraj Singh whereupon Mangal Dev Trivedi, the deponent of this affidavit, was sent to Ghaziabad and he took Dr. Anand Bhushan Sharma to M/s Precise Laboratories and at that time Dr. Anand Bhushan Sharma inspected this laboratory and this inspection was supervised by Mangal Dev Trivedi. Annexure-1 of the affidavit of Dr. Sheoraj Singh is the inspection record of the said laboratory by M. L. Bhardwaj whose signatures appeared on the first Page as well as on the last page of this annexure. It would be seen that the said inspection being of 29-11-91 is after the tragedy in question and thus has no relevance before the Commission except for the purpose of showing grudge on the part of M.L. Bhardwaj against these three officers, as M.L. Bhardwaj was placed under suspension and departmental proceedings were initiated against him. The aforesaid supervision over the inspection made by Dr. Anand Bhushan Sharma was not his routine duty but he was only specifically directed by Dr. Sheoraj Singh to do so. It is nowhere in evidence except in the statement of M.L. Bhardwaj that it was the duty of Mangal Dev Trivedi also to inspect pharmacies through out the State of U.P, but it is not known how he was responsible to perform the duties mendated under Rule 162. Exhibit CW-11/X13 is the photocopy of notification No. 733/XVI-X-1721-70, dated February 15, 1977 which reads as follows :—

> "In exercise of the powers under section 33G of the Drugs and Cosmetics Act, 1940 (Act No. XXIII of 1940), the Governor is pleased to appoint with effect

from the date of publication of the notification in the Uttar Pradesh Gazette the persons mentioned in column No. 1 of schedule below to be Inspectors in respect of the areas mentioned in column No. 2 of the said schedule against each of them:

SCHEDULE

1	2
1. All the Ayurvedic and Unani Divisional Officers 2. All the Ayurvedic and Unani Chikitsha Adhikaries 3. All the Principals and Superintendents of the Government Ayurvedic Colleges	Whole of Uttar Pradesh

It is nowhere in evidence that Mangal Dev Trivedi was covered as an Inspector in this notification and consequently he had no duties to perform under Rule 162 and his involvement by M. L. Bhardwaj is the result of his grudge against M.D. Trivedi. He in his official capacity as Asstt. Director in the Directorate, Ayurvedic and Unani Services U.P., had not been empowered to inspect any premises under the aforesaid Rule, as also deposed to by him towards the close of para No. 7 of his affidavit. Thus there is no negligence or lapse on the part of Mangal Dev Trivedi in respect of the tragedy in question.

It was contended in the affidavit No. 51 of Mr. R. Tiwari, DCP (Crime), Delhi that the initial licence to manufacture for sale of ayurvedic medicines including 'Karpoor Asav' was granted by the Drugs Department, U.P. at Lucknow in favour of M/s Karnal Pharmacy, V. Manota, Muradnagar, Ghaziabad (U.P.) on 25-2-85 and renewed upto 31-12-88 as per annexure-'D' of his affidavit. The perusal of annexure-'D' shows the signatures of Dr. Sheoraj Singh, Licencing Authority and Director on this renewal. It is asserted in his affidavit that after 31-12-88 there was no renewal of this licence and thus M/s Karnal Pharmacy, V. Manota, Muradnagar, Ghaziabad was manufacturing for sale ayurvedic drugs unauthorisedly without a valid licence. This licence is A-1160/85. Mr. Ashok Srivastava, the learned counsel representing the State of U.P. relied upon Rule 156 of the Drugs and Cosmetics Rules, 1945 and asserted that the proviso to the said Rule was complied with by M/s Karnal Pharmacy, V. Manota, Ghaziabad for the renewal of the said licence year after year. Rule 156 reads as follows :—

"156. Duration of licence--An original licence in Form 25-D or a renewed licence in Form 26-D, unless sooner suspended or cancelled shall be valid upto the 31st December of the year following the year in which it is granted or renewed:

Provided that if the application for the renewal of a licence is made before its expiry or within one month of its expiry, or if the application is made within

three months of its expiry after payment of the additional fee of rupees thirty, the licence shall continue to be in force until orders are passed on the application. The licence shall be deemed to have expired, if application for its renewal is not made within three months of its expiry".

The learned counsel has urged that keeping in view the aforesaid proviso to this rule the various documents on the records before the Commission would go to show that M/s Karnal Pharmacy had compiled with the aforesaid legal requirements for the renewal of this licence. Para No. 3 of affidavit No. 52 deposed to by Laxmi Kant Tripathi, Excise Inspector Incharge, Circle-II (Modi Nagar Circle) in the District of Ghaziabad from 6-8-91 to 21-11-91 shows that letters confirming the validity of the afore-said licence in Form D-25 were issued by Regional Ayurvedic Officer, Ghaziabad and those letters are annexures-3 to 8 of this affidavit and are dated 11-6-85, 15-8-88, 19-9-88, 6-7-89, 31-3-90, 28-6-90 respectively. We find an identical reply on this point in para No. 3 of the affidavit No. 114 deposed to by Raghuraj Singh Chauhan, Station Officer, Police Station, Sector-20, NOIDA, District Ghaziabad who remained posted as Station Officer Incharge of P.S. Muradnagar in the District of Ghaziabad from 15-9-91 to 18-12-91 and M/s Karnal Pharmacy, V. Manota, Muradnagar, Ghaziabad was within his jurisdiction in those days. According to para No. 3 of this affidavit annexures-3 to 8 of this affidaivt bear the same dates as in the corresponding annexures referred to above in the affidavit of Laxmi Kant Tripathi.

Letter Annexure-2 dated 10-4-91 by Regional Ayurvedic and Unani Officer, Ghaziabad shows that the original licence No. A-1160/85 was forwarded to the Licencing Authority and Ayurvedic and Unani Services Director, U. P., Lucknow for renewal for the year 1991-92 as the said licence was entitled to renewal uptill the year 1991-92. Letter Annexure-4 dated 5-9-88 shows that the said licence A-1160/85 was forwarded to the Licencing Authority of Ayurvedic and Unani Services Director, U.P., Lucknow for renewal. Letter Annexure-5 dated 19-9-88 shows that renewed licence was forwarded to M/s Karnal Pharmacy, A-5, Indira Enclave, Loni Road, Ghaziabad which address has been mentioned in the body of this letter. Annexure-6 is letter dated 6-7-89 whereby the aforesaid licence A-1160/85 was forwarded to the Licencing Authority and Ayurvedic and Unani Services Director, U. P., Lucknow for renewal thereof for the year 1989-90. The letter Annexure-7 dated 31-3-90 shows that the said licence was forwarded to the Licencing Authority and Ayurvedic and Unani Services Director, U.P., Lucknow, for renewal uptill 31-12-90. The aforesaid letters are addressed by the same officer and to the same office in Ghaziabad as is the case in the letter Annexure 2. From the aforesaid letters which are in the form of service and which have been issued in the official course of business must be presumed to be correct in order to show that the original licence No. A-1160/85 issued in favour of M/s Karnal Pharmacy, Ghaziabad had been sent year after year for its renewal uptill the year 1991-92 i. e. uptill

31-12-92. This pharmacy worked at Loni till the beginning of 1990 whereafter it shifted to V. Manota, Muradnagar, and District Ghaziabad covers both these places. This licence could not be forwarded for renewal for various years referred to above, to the Licencing Authority and Director, Auyrvedic and Unani Services, U.P., Lucknow, had there been no proper application made by M/s Karnal Pharmacy to the Regional Ayurvedic and Unani Officer, Ghaziabad for renewal of the said licence complying with all the necessary requisites contemplated in the proviso to Rule 156 set out above, in respect of the making of the renewal applications within three months of the expiry of the licence after payment of the additional fee of Rs. 30/-, and even if the renewal was not received by M/s Karnal Pharmacy, Ghaziabad, the licence was to continue to be in force unless sooner suspended or cancelled but there is no suspension or cancellation of the licence except on 18-11-91 by the Director, Ayurvedic and Unani Services, U.P, Lucknow vide his letter No. R-8084/D-2022/85 dated 18-11-91 as mentioned in para No. 5 of the affidavit of Laxmi Kant Tripathi, but this cancellation date is after the tragedy in question. It would thus be seen that only Annexures-2, 4, 6, and 7 are relevant for determining the question of renewal of the Drug Licence No. A-1160/85 of M/s Karnal Pharmacy, Ghaziabad, and the affidavits of Laxmi Kant Tripathi and Raghuraj Singh Chauhan in respect of the annexures are correct only to the above mentioned annexures in as much as Annexure-3 dated 11-6-85 of these two affidavits pertains to the fact that L-2 licence be granted to the said pharmacy whereas Annexure-5 dated 19-9-88 simply talks of the forwarding of the licence after renewal at the Loni address of M/s Karnal Pharmacy, Ghaziabad where it was situated at that time. There cannot be any challange to the genuineness of these annexures in as much as the same have been issued from the office record of Regional Ayurvedic and Unani Officer, Ghaziabad and moreover these annexures also bear the letter numbers towards the left hand side top corner. The production of the applications for renewal as also the fees deposit challans looks unnecessary in the case of the above mentioned letters which, as a matter of fact, are the certificates issued by the Ghaziabad Regional Ayurvedic and Unani Officers in due course of their official business. Thus on this count there is no lapse on the part of Drug Department.

CW-16 Roop Narain, General Secretary of Akhil Bhartiya Nashabandhi Parishad (All India Prohibition Council), Mehrauli-Badarpur Road, New Delhi had stated that concerned officers of the Health Ministry of the Government of U.P. who exercised no control whatever on the the production and sale of these highly intoxicating and killer medicines of Ayurvedic, were responsible for this tragedy. The concerned officers of the Ministry of Health, U.P. State have already been discussecd as also the negligence or lapse on their part.

Affidavit DW-60 has also been filed by Shri Ram Niwas, Joint Secretary, Medical Education, Government of U.P., Lucknow. This affidavit hows that the Director

Ayurvedic and Unani Services U.P., Lucknow and officers under his control are responsible for the Administration and implementation of the provisions of the Drugs Act and the Drugs and Cosmetics Rules, 1945 framed thereunder, and to take appropriate actions against the erring pharmacies and he has been exercising control and supervision over the pharmacies through the officers subordinate to him. This also shows that Dr. Sheoraj Singh was the Controlling Authority under the aforesaid Rule 162. The allegations of Shri Roop Narain CW-16 have been denied in this affidavit.

Affidavit DW-56 is of Sat Kumar Sharma, associated with the association namely, Ayurvedic & Unani Ministerial Service Association, Meerut Mandal, Meerut, U. P. which is a branch of Ayurvedic & Unani Directorate Ministerial Service Association, U. P. This affidavit shows that the last election of this association was held on 14-5-91 and he was elected as Mandliya Mantri and Shri M. L. Bhradwaj, CW-11 was elected as President for the said branch of this association but considering the undesirable and unauthorised activities of M. L. Bhardwaj which he was doing for his own benefit and interest taking the shelter of this association and being President thereof, the office bearers, feeling aggrieved thereby, called a General Body Meeting on 22-3-92 and after discussion it was decided unanimously that M. L. Bhardwaj be debarred to act as President and the said resolution was circulated to M. L. Bhardwaj and other concerned persons including office bearers on 8-5-92 photocopy of which circular is Annexure-1 of this affidavit. This affidavit further shows that M. L. Bhardwaj has moved certain application before the Commission showing himself as the President of the said association but the said act of M. L. Bhardwaj was never authorised or permitted and the same may be treated as moved by M. L. Bhardwaj in his individual capacity and not on behalf of the said association. This affidavit and the resolution referred to therein removing M. L. Bhardwaj as President of the said association and his activities before the Commission being described as unauthorised and only in his individual capacity and not as President of the said association, is not of any appreciable import, because the allegations made by him against the above mentioned three officers of the Drug Department of U. P. have been discussed only in the light of the non-performance of their official duties mendated under the law.

In view of the above discussion Dr. Anand Bhushan Sharma, Medical Officer, Government Ayurvedic Dispensary, Brijghat, Ghaziabad Distt. (U.P.) and Dr. Sheoraj Singh, Director of Ayurvedic and Unani Services, Sarojini Naidu Marg, Lucknow, U. P. are held responsible for negligence in the discharge of their duties as indicated above in their individual capacity and for those very reasons the Drugs Department, U. P. is also held responsible for negligence and lapse to the same extent, whereas Mangal Dev Trivedi, Asstt. Drug Controller (Ayurvedic and Unani) Services U.P., Lucknow is not found negligent.

Excise Department, U. P.

Section 48 of Uttar Pradesh Excise Act, 1910 empowers the Excise Commissioner, or a Collector or any officer of the Excise Department not below such rank as the State Government may prescribe, may enter and inspect at any time by day or by night any place in which any licenced manufacturer carries on the manufacture of or stores any intoxicant and may examine, test, measure or weights any materials, stills, utencils, implements, apparatus, or (Intoxicant) found in such place; and may seize any measure, weights or testing instruments which he has reason to believe to be false. It was conceded by Mr. A.K. Srivastava, learned counsel for the State of U.P. that Excise Officer also meant an Excise Inspector. Laxmi Kant Tripathi, PW-52 was the Excise Inspector Incharge of Circle No. II, also called Modinagar Circle, in the District of Ghaziabad from 6-8-91 to 21-11-91 and M/s Karnal Pharmacy, Village Manota, Muradnagar, Ghaziabad was situated within his jurisdiction, as stated by him in para No. 2 of his affidavit No. 52. His affidavit further shows that this pharmacy was a non-bonded pharmacy for which licence No. 1160/85 in Form No. D-25 of the Drugs Act had been given by the Director (Ayurvedic and Unani) U. P., Lucknow and this licence has been found valid till 31st Dec., 1992. It is further mentioned in para No. 4 of this affidavit that acting on and in pursuance of the said licence in Form No. D-25, the Excise Commissioner Uttar Pradesh, Allahabad sanctioned issue of licence in Form No. L-2 as prescribed in Medicinal and Toilet Preparations (Excise Duties) Rules, 1956 and the Collector, Ghaziabad on 22-8-85 issued the said licence to M/s Karnal Pharmacy. Photocopies of the sanction of Excise Commissioner and the licence issued by the Collector, Ghaziabad in Form L-2 are annexures 10 and 11 respectively of this affidavit. Para No. 6 of this affidavit further shows that in pursuance of the renewals year after year of the Drug Department licence in Form D-25, the District Excise Officer, Ghaziabad renewed the L-2 licence upto the year 1991-92 and the last such renewal was on 7-5-91 evidenced by annexure-11 (photocopy) of this affidavit. Para No. 7 of this affidavit further shows that the District Excise Officer, Ghaziabad renewed the said licence L-2 each year on the recommendation of the Excise Inspector Incharge of circle concerned within whose jurisdiction M/s Karnal Pharmacy is and was situated at the relevant time. Annexure-13 is the photocopy of the recommendation of the Excise Inspector Incharge of Circle No. 11 for the renewal of the said licence L-2 for the year 1991-92 on 29-4-91. There is nothing wrong in all this.

In para No. 11 of his affidavit No. 51 Mr. R. Tiwari, then DCP (Crime), Delhi Police has indicted the Excise Department of Ghaziabad by asking that it became evident from the records seized during the investigation that the control required to be excrcised by this department regarding manufacture and diitribution of the finished ayurvedic preparations was not done and no test sampling was done and further-more the register required to be maintained statutorily regarding inspection of business premises having licences from the Excise Department was seized and that register did not show

any inspection. In his cross examination by Mr. S. K. Sharma, counsel for Excise Department, Ghaziabad, U.P., Mr. Tiwari, PW-51 elaborated further on this point by stating that during investigation the Delhi Crime Branch team seized one register from the office-cum-residence of Shri Laxmi Kant Tripathi, Excise Inspector, Ghaziabad on 7-11-91 by a seizure memo and therein no entry about carrying out of inspections had been made in regard to M/s Karnal Pharmacy, Ghaziabad, even though other entries of inspections were there in regard to other manufacturing units. Mr. Tiwari's cross examination further shows that this register has been described as Inspection Register and not as shop register and therein there is page No. 92 allotted to inspection of Karnal Pharmacy, Ghaziabad but that page was found lying blank meaning thereby that no inspections of Karnal Pharmacy, Ghaziabad were carried out by the Excise Inspector, Ghaziabad. Mr. Tiwari further stated that as the name of Karnal Pharmacy found mention in this register, it would be incorrect to suggest that this register was meant not for the inspection of manufactories but was meant only for the inspection of liquor shops. Then on another hearing in reply to Commission's question Mr. Tiwari, on seeing the challan of case FIR No. 394 requestioned from a court has stated as follows :—

> "In this challan file I have also seen the inspection register of shops for the year 1991-92 Circle-2, Ghaziabad and in the index thereof Karnal Pharmacy, Ghaziabad is mentioned at Sr. No. which is the last but one and further on page 92 which was allotted to Karnal Pharmacy, Ghaziabad (in the index) the said page and the next page 93 are lying blank with no entries therein (register seen & returned)."

Mr. Laxmi Kant Tripathi, PW-52 has also conceded in his cross examination by Mr. Grover that on 7-11-91 officials of of Crime Branch, Delhi raided his house also in Ghaziabad and took into possession from there the file pertaining to Karnal Pharmacy and a shop inspection register, which were official papers and this search of his house was in fact of this office which is located in one room of his residence. He again stated that the search in his office at his residence had taken place on 9-11-91 and a copy of the seizure memo prepared there was also given to him. Laxmi Kant Tripathi has also conceded in his cross examination by Mr. A. P. Ahluwalia, counsel for Delhi Police, that he made no entry in this register and this register was being maintained by him. Then in reply to the question by the Commission he replied that he could not make entries in this register about his visits to Karnal Pharmacy. Then in his cross examination by the counsel for Rajiv Sapra and Naresh Bhardwaj this witness Laxmi Kant Trivedi has stated that this register seized from his office-cum-residence by Crime Branch, Delhi is called shop inspection register and whenever he inspects any ayurvedic pharmacy in Ghaziabad he has to make entry about that visit in this register and that he did not make entry in this register about his visit to Karnal Pharmacy on 7-10-91 for the reason that even though he had brought a written note about the inspection which is Annexure-15 of his affidavit, he forgot to make entry about the same thereafter in this register. He

had earlier stated in his cross examination by the counsel for Rajiv Sapra and Naresh Bhardwaj that he had been visiting the premises of Karnal Pharmacy situated in Muradnagar, District Ghaziabad in his capacity as Excise Inspector and that he never tested the ayurvedic medicine 'Karpoor Asav' in that pharmacy and that on 7-10-91 he had gone there and had measured there the volume of rectified spirit with the Alcoholometer and the same was found correct and that 'Karpoor Asav' was not there nor was it being manufactured there at that time. The above mentioned register refutes the statement of this witness that he had been visiting these premises in his capacity as Excise Inspector, as there is no entry in the said register. In respect of his solitary visit on 7-10-91 to this pharmacy and measuring the volume of rectified spirit there and finding it correct stands proved by the writing contained in Annexure-15 of his affidavit which further shows that Amrish Bhatnagar was directed by him to do the mixing of the rectified a spirit in his presence and to inform him before preparing the mixture. This annexure is dated 7-10-91 and signed by this witness as well as by Amrish Bhatnagar. This annexure is about the quantity of 426 Bulk Litres of rectified spirit received by Karnal Pharmacy from the Excise Laboratory at Simbholi, District Ghaziabad vide Indent No. 1/91-92 dated 19-9-91 as would be seen from the affidavits of this witness as well as of Mr. R. Tiwari.

It would be seen that the aforesaid visit of Laxmi Kant Tripathi to M/s Karnal Pharmacy, Muradnagar, Ghaziabad was not one under Sec. 48 of U.P. Excise Act, 1910 but was only in pursuance to an administrative instructions. In para No. 11 of his affidavit Laxmi Kant Tripathi has deposed that even though supervision of manufacture of medicinal preparations in a non-bonded pharmacy is not required by law, still in compliance with administrative instructions he, vide his letter dated 7-10-91 (Annexure-15) served on Amrish Bhatnagar partner of Karnal Pharmacy, directed him to do the mixing of ingredients in the rectified spirit in the manufactory in his presence and inform him before hand about the mixing of the ingredients, in the medicinal preparations. Laxmi Kant Tripathi was speaking about this in his affidavit in context with the Medicinal and Toilet Preparation (Excise Duties) Rules, 1956 which are meant only for the purpose of collection of Excise duties on medicinal and toilet preparations containing alcohol and to impose penalty if on testing of such preperations he finds the quantity of rectified spirit used therein in excess.

Even the aforesaid duty under the administrative instructions was not performed by Laxmi Kant Tripathi, Excise Inspector, Ghaziabad in as much as the mixing of rectified spirit obtained from Simbholi Distillery, Ghaziabad was required to be mixed with other ingredients in his presence in the preparation of ayurvedic medicines and leaving the same with the direction to Amrish Bhatnagar to inform him in advance for enabling him to see the mixing thereof at some subsequent time alone was not sufficient and he should have pursued the same thereafter without any delay but he never bothered for the same after the direction given by him to Amrish Bhatnagar in Annexure-15 dated 7-10-91 of

his affidavit and left the matter with the partners of Karnal Pharmacy, Ghaziabad to fritter away the above mentioned quantity of rectified spirit received by them and to prepare the killer Sura in the garb of 'Karpoor Asav' with the poisonous substance instead and this is negligence and lapse on the part of Laxmi Kant Tripathi in the discharge of his aforesaid duty cast upon him under the administrative instructions referred to above and also referred to in para 11 of his affidavit.

The absence of any entry in the above mentioned shop inspection register maintained by Laxmi Kant Tripathi and seized by the Delhi Crime Branch team from his office-cum-residence also proves gross negligence on his part in the matter of inspecting Karnal Pharmacy, Ghaziabad as contemplated under Sec. 48 of U. P. Excise Act, 1910 already referred to above. Had the pressure of entry and inspection, as contemplated under S. 48 of this Act, been maintained by Laxmi Kant Tripathi by carrying out his statutory duties, the same could have produced some deterent effect upon the partners and manager of Karnal Pharmacy in the matter of preparation of illicit killer Sura.

Under S. 37-A of the U.P. Excise Act, 1910 the export of any intoxicant from U. P. or any part thereof is prohibited, but notwithstanding that bar, there has been much of export of illicit liquor/Sura under the guise of ayurvedic medicines and has been finding entry into Delhi, without let or hinderance, notwithstanding and the Excise officials of Ghaziabad appear to have taken no measure in checking the same and notwithstanding a letter having been written by the Excise Commissioner, Delhi to his counterpart in U.P. wherein his attention was drawn to the clandestine trafficking of ayurvedic preparations containing more than 11.4% v/v alcohol being exported on large scale to Delhi by the local manufacturers of U.P. and other neighbouring States in bulk without paying the Excise Duty to the Government and it was suggested that the Excise Commissioner of U.P. be more vigilant against such manufacturers. This matter was pursued even by way of reminder. The tragedy in question is the result of lapse and negligence on the part of the Excise officials of Ghaziabad who perhaps did not head the warning and did not take any effective steps to curb the export of illicit Sura/liquor from U.P. borders into Delhi.

In defence U.P. Excise has filed affidavit DW-52 deposed to by R.S. Prasad, Excise Inspector, Simbholi Distillery, Ghaziabad and that affidavit pertains to the issuance of 400 AC rectified spirit to M/s Karnal Pharmacy, Ghaziabad after compliance with all the necessary formalities and procedure and does not in any manner exonerate from negligence, Laxmi Kant Tripathi, Excise Inspector, Ghaziabad or the Excise officials of Ghaziabad referred to above.

In view of the above discussion I hold Laxmi Kant Tripathi, Excise Inspector Incharge, Circle-II (also called Modinagar Circle) District Ghaziabad as also the Excise officials at Ghaziabad who were incharge of the exports of ayurvedic medicines from Gaziabad to Delhi, as indicated above.

REF. TERM No. 4

I now suggest and recommend the following steps to prevent recurrence of such like tragedies :

1. There should be standerization of all ayurvedic preparations/medicines, containing alcohol by the Drug Controller of India. Pending final standarization Drug Controller should prescribe uniform system through which such medicines may be manufactured.

2. All ayurvedic preparations containing alcohol should be allowed to be manufactured under L-1 Medicinal & Toilet Preparation (Excise Duties) Rules, 1956 only.

3. Proper quality control should be exercised by the Drug Controller of the respective States and a statutory duty should be imposed upon the Drug Inspector to personally supervise the manufacturing and preparation of all batches of ayurvedic medicines containing alcohol and this personal supervision should continue till bottling and sealing thereof. He should also take a few samples at random from each batch and get the same tested from the Government Analyst of his State or from CFSL and only after the test report has been received from the Government Analyst and indication thereof is mentioned on the labels of the bottles and printed, in the same fashion as is done in the case of ISI marks on other products, the product should be allowed to enter the market. Necessary staff for this supervision may be provided. The sale establishments of these medicines should not accept the supply thereof without indication of the clearance by the Government Analyst. These preparations should also clearly mention the contents with percentage on their labels as well as dosage.

4. Since the dosage of ayurvedic drugs such as 'Karpurasava', 'Sanjivini Sura' and 'Mahadrakshasav' are in small quantities, the packing of these drugs may be ensured in quantities not exceeding 30 ml in the case of 'Karpurasava' and 'Sanjivini Sura' and 120 ml in case of 'Mahadrakshasav'.

5. The sale of ayurvedic medicines should be allowed only from the shops of regular chemists on the strength of licence issued to such chemists from the Drug Department.

6. The export of such ayurvedic medicines from manufacturing States should be allowed only against Import Permit issued by the Excise Commissioner/ Drug Controller of the importing State.

7. Similarily transport of these medicines within the State should be allowed on the strength of Transport Permit issued by the Excise Commissioner of the State/Drug Controller.

8. The only reason behind the tragedies in Delhi and other parts of the country has been presence of methyl alcohol which is a poison. Even in Delhi people died not because of high percentage of alcohol in 'Karpurasava' but because of the presence of methyl alcohol which was added at the time of manufacture. The most immediate need of the hour is to exercise proper control and check over methyl alcohol. In Delhi the methyl alcohol is a poison declared as such under the Poisons Act which is administered by the Delhi Police. The Police should immediately start implementation of provisions already given in the Poisons Act regarding the licensing and control over the methyl alcohol. At present it is freely available in the market without any check and it might be used again by unscrupulous elements resulting in any another tragedy any day.

9. The check posts at the border which are manned by Delhi Police should be impressed upon the need to check and confiscate any item entering Delhi in the garb of medicine without a valid transport permit issued by the Delhi Administration. The killer brew in Delhi was brought in from U. P. and it could have been checked at the border itself if the persons manning the border were vigilant about it.

10. The Police CID should be genuinely active to detect and report about the manufacture, transport, export, import and sale of such like adulterated, spurious and mis-branded medicines. It is this department of the Police which can be of real help and without its help not much useful can be achieved.

11. Senior police officers upto the rank of Police Commissioner/Inspector General should also make surprise visits to check and verify that officers subordinate to them are performing their duties properly, and this shall have a salutory effect on the public also that their misdeeds are being watched.

12. Drug Controller in each State including Delhi should be given a separate laboratory to carry our regular checks of ayurvedic and other types of medicines supposed to contain alcohol.

13. Mr. R.K. Agarwal, Consultant Alcohol, 102, SFS (DDA) Flats, New Rohtak Road, Near Madipur, New Delhi appeared before the Commission as CW-10 and has stated that methyl alcohol as such is colourless and poisonous and suggested that the sale of methyl alcohol should be restricted and that methyl alcohol should be coloured and in the process of colouring only rodaman blue or rodaman pink should be added and not any other colour and in this manner it shall not resemble ethyl alcohol and shall not destroy any of the properties of methyl alcohol for its further use for any downstream or use and this would also curb the misuse for potable purposes. It was also suggested by Mr. Agarwal that 'Mritsanjivini Sura' or 'Asav' are nothing but Harbal Liquor and so instead of putting these medicines under the Drug Controller it would be appropriate if the Distilleries already manufacturing Indian made foreign liquor are allowed to manufacture the same provided all the controls as laid down are strictly observed, as the Excise Manual contains rules which are fool-proof and from which nobody can deviate, and ultimately it will avert the Sura tragedies. Both these suggestions deserve consideration and are adopted as such by the Commission, and may be got further examined at some high expert level by the Government.

14. Social awareness should be created against alcoholism. Government publicity media especially TV and Radio should be effectively used to arouse awareness amongst public against the use of intoxicants to which poisonous substances like thinner and methyl alcohol can be mixed by unscrupulous manufacturers or boot legoars. TV and Radio should be effectively used for telecasting and broadcasting small clips/ jingles/spots against addictions regularly in between the popular programmes. Such publicity should be all the more so on the eve of festivals when poorer sections of peoples are likely to consume more of illicit liquor.

15. There should be more country liquor shops in the various localities in Delhi especially inhabited by the poorer sections of society so that they can have excess to the same. The country liquor should be sold not only in full bottles but also in halves and quarters so as to enable even the poorest to afford the same.

16. At every country liquor shop there must be a complaint register so that any person from the public having any complaint can record the same therein and those registers should be checked and verified within a week by the officials of the Excise Department. Instructions followed by

reminders at 3 months intervals should be given by the Police Commissioner/Inspector General of the various States including Delhi to the officers below and especially at the level of the Police Stations to exercise more and more genuine and effective control and supervision within their respective areas.

The Government may have the above mentioned proposals, suggestions and recommendations examined thoroughly at appropriate specialised hands as far as the scientific technology happens to be involved therein.

REF. TERM NO. 5

After the aforesaid discussions and findings I do not think there is any other point relevant to the incident calling for any discussion or comments.

Before parting with the rccords I strongly feel that a word of appreciation and high commendation from the Commission is due to the brilliant Investigating Team of the Crime Branch (Delhi Police) who have done a yesman's job in the matter of gigantic investigation in about 288 criminal cases which in turn provided immence material before the Commission and without which the Commission would have found it difficult to collect the entire evidence it has been able to do. They have worked with a sense of dedication. They have also been very quick and cooperative in the matter of effective service of summons upon the witnesses and for arranging the production of the summoned files from courts as well as the material exhibits. And in all this the Crime Branch Officers of Delhi Police have been guided, instructed and directed by Mr. R. Tiwari then DCP (Crime), Delhi but new Addl. Commissioner of Police (Crime) who displayed remarkable skill and genius and was able to get the investigations completed so soon.

Mr. U. R. Kapoor, is Secretary to the Commission which duty has been assigned to him by Delhi Administration in addition to his own duties as Joint Registrar Cooperative Society, Delhi. Credit goes to him for setting up and organising and disciplining the administrative machinery of the Commission. He has been vigorously and efficiently pursuing the various problems faced by the Commission from time to time and getting the same solved from Delhi Administration. In the discharge of his duties he has been able to display his extra-ordinary briliance and efficiency as also high calibre.

The Court Master Mr. L.S. Dhir has done indefatigusable job in handling and arranging voluminous evidence recorded before the Commission together with a large number of documents and getting the photo copies of the same prepared for delivering to the various parties and the counsels, and also putting before me any paper or document immediately as and when required by the Commission during the dictation of this report.

The remaining staff has been discharging their duties in a very efficient manner and with a spirit of dedication and had been also sitting till long hours during the last one month and without their cooperation the job of the Commission could not have been completed by now.

Report presented to L. G.
31st August, 1992.

Sd/-
(Justice Jagdish Chandra)

SCHEDULE

SCHEDULE -1

(TO BE PUBLISHED IN PART IV OF DELHI GAZETTE EXTRAORDINARY)

Delhi Administration : Delhi
Home (Police II) Department

Dated : the 9th November, 1991

NOTIFICATION

No. F. 10(C)/14/91-H. P.-II :—Whereas several persons have died or have become seriously sick in certain areas of the Union Territory of Delhi, reportedly after consuming a spurious brew being marketed as an Ayurvedic medicine on or after 6th November, 1991 ;

and whereas the Administrator of the Union Territory of Delhi is of the opinion that is necessary to appoint a Commission of Inquiry for the purpose of making an inquiry into this matter of public importance, namely, the need for ascertaining all the relevant facts and circumstances leading to this incident and matters relating thereto.

Now, therefore, in exercise of the powers conferred by section 3 of the Commissions of Inquiry Act, 1952 (60 of 1952) read with the Notification No. F. 2/4/66-UT dated 20-8-1966, issued by the Govt. of India, Ministry of Home Affairs, the Administrator of the Union Territory of Delhi, in consultation with the Chief Justice, Delhi High Court, New Delhi, is pleased to appoint a Commission of Inquiry consisting of a Single Member, namely Mr. Justice Jagdish Chandra, Retired Judge of Delhi High Court, to conduct an inquiry and record its findings and make appropriate recommendations on the following matters :—

(i) number of persons who died or who were disabled due to the consumption of the said spurious brew ;

(ii) the person or persons responsible for manufacture, preparation, storage, sale and supply of the said spurious brew ;

(iii) negligence, if any, of authorities responsible for checking such acts ;

(iv) to recommend ways and means to prevent recurrence of such incidents ; and

(v) any other matter relevant to the incident.

2. The headquarters of the Commission shall be at New Delhi.

3. The commission shall complete the Inquiry and submit its report to the Administrator of the Union Territory of Delhi within a period of two months from the date of issue of this notification.

4. Having regard to the nature of the Inquiry to be made and other circumstances of the cases, the Administrator is further of the opinion that all the provisions of sub-sections (2), (3), (4) & (5) of section 5 of the Commissions of Inquiry Act, 1952 (60 of 1952) should be made applicable to the said Commission.

The Administrator, therefore, directs that under sub-section (1) of the said section (5) all the provisions of the aforesaid section shall apply to the said Commission.

By order and in the name of the
Administrator of the
Union Territory of Delhi

Sd/-
(MRS. SATBIR SILAS)
Joint Secretary (Home)
Delhi Administration : Delhi

No. F. 10(C)/14/91-H.P.-II/ Dated : the 9th November, 1991

1. Shri Subir Dutta, J.S. (UT), Ministry of Home Affairs, New Delhi.
2. Mr. Justice Jagdish Chandra, Retired Judge of Delhi High Court.
3. Secretary (Law & Judicial), Delhi Administration, Delhi.
4. Commissioner of Police, Delhi.
5. Secretary to Lt. Governor, Delhi.
6. Deputy Commissioner, Delhi.
7. Public Relations Deptt. Delhi Administration : Delhi with one spare copy alongwith Hindi version, for publication in Part IV of Delhi Gazette.

Sd/-
(MRS. SATBIR SILAS)
Joint Secretary (Home)
Delhi Administration : Delhi

SCHEDULE—2

JUSTICE CHANDRA COMMISSION OF INQUIRY
DELHI ADMINISTRATION : DELHI

208, Din Dayal Upadhyaya Marg, (Rouse Avenue)
New Delhi -110002

Dated: 2nd December, 1991

PUBLIC NOTICE

Whereas the Administrator of the Union Territory of Delhi, being of the opinion that it is necessary to appoint a Commission of enquiry for the purpose of making an inquiry into a matter of public importance, namely the need for ascertaining all the relevant facts and circumstances leading to the death of several persons and several persons having become seriously sick in certain areas of Delhi, reportedly after consuming a spurious brew being marketed as an Ayurvedic medicine on or before 6th June, 1991, vide Notification No. F. 10 (C)/14/91-H.P. II /dated 9-11-1991 published in part IV of the Delhi Gazette Extraordinary, Delhi Administration, Delhi Home (Police II) Department, in excercise of powers conferred by section 3 of Commissions of Inquiry Act, 1952 (Act, No. 61 of 1952) (hereinafter referred to as the 'Act') has been pleased to appoint a Commission of Inquiry (for short 'The Commission'), consisting of a single member, namely Mr. Justice Jagdish Chandra, retired Judge of Delhi High Court, to conduct an inquiry and record its findings, and make appropriate recommendations on the following matters :—

(i) number of persons who died or who were disabled due to the consumption of the said spurious brew;

(ii) the person or persons responsible for manufacture, preparation, storage, sale and supply of the said spurious brew;

(iii) negligence, if any, of authorities responsible for checking such acts;

(iv) to recommend ways and means to prevant recurrence of such incidents; and

(v) any other matter relevant to the incident.

2. AND WHEREAS the Administrator, Union Territory of Delhi, being also of the opinion that having regards to the nature of the inquiry to be made and other circumstances of the case, all the provisions of Sub-sections (2), (3), (4) & (5) of Section 5 of the Act should be made applicable to the said Commission, in exercise of the power conferred by sub-section (1) of section (5) of the Act, has further been pleased by the same Notification to direct that all the provisions of sub-sections (2), (3), (4) & (5) shall apply to the Commission.

3. NOW, THEREFORE, the Commission, in pursuance of the inquiry, hereby invites individuals, associations, organisations, institutions, authorities, hospitals and all other persons acquainted with the subject matter of inquiry to furnish to the Commission statements of facts in the form of an affidavit (with two authenic spare copies), relating to the matters under inquiry as set out above, and every such affidavit shall comply with the following requirements, namely :—

(i) the affidavit filed shall be in English, but if it is in a language other than English, it should be accompanied by an authentic translation thereof in English.

(ii) the affidavit shall be drawn in first person and shall be divided into paragraphs to be numbered consecutively, each material statement of fact being made the subject matter of a separate paragraph.

(iii) every affidavit shall include therein the correct description, occupation and full address of the deponent and shall contain at the end a verification in the following form, namely :—

"Verified that the statements made in paragraphs..... ..of the above affidavit are true to my personal knowledge and those made in the remaining paragraphs are based on the information derived from.... .....which is believed to be true by me."

(iv) the Magistrate or the authority before whom the affidavit is sworn shall make the following endorsement thereon :—

"Sworn before me by the Deponent who is identified to my satisfaction by.. .....or is personally known to me. The affidavit has been read out in full to the deponent who has signed it after understanding and admitting it to be correct this..... ..... day of.....,1991 at.....".

Signature of the Magistrator

Autority with seal

(v) if such information is derived from any document or record, the particulars and nature of such document or record and the person in control or custody there of should be indicated, If any part of the statement in the affidavit is verified from the information received, the source of such information should be disclosed. The deponent shall file alongwith his affidavit a list of documents on which he intents to rely.

He shall also file a list of witnesses with their full particulars and addresses, whom he would like to examine in support of his statement of facts. Against the name of each witness, the deponent shall indicate briefly the fact or facts, which the witness is expected to prove in his examination, and why instead of oral examination, his evidence on Affidavit will not suffice.

4. After examination of the statements that may be received in response to the Notification, the Commission may, if it considers necessary in the interest of justice, call upon any person filing an affidavit to file further affidavit and/or to appear before the Commission and give oral evidence in which case the statement filed before the Commission by the party may be treated as Examination-in-Chief and shall be subject to cross-examination by the interested parties, if any.

5. The Commission would not accept any affidavit not satisfying the requirements set out above. However, the Commission may, in its discretion in the interest of justice in the inquiry, accept such statements and such acceptance shall not be liable to be challenged in the inquiry.

6. The affidavits may be sent to the Secretary of the Commission at Premises No. 208, Rouse Avenue, New Delhi-110002 by registered post with acknowledgement due or personally handed over to him or an officer authorised by him in this behalf from 11-00 A.M. to 1-00 P.M. and from 2-00 P.M. to 4-00 P.M. an every working day and acknowledgement receipt obtained, on or before Friday, 27th December, 1991.

Dated this the 2nd December, 1991

By Order of the Commission
(U. R. KAPOOR)
Secretary
Justice Chandra Commission of Inquiry
208, Din Dayal Upadhyaya Marg,
(Rouse Avenue), New Delhi-110002

SCHEDULE—2-A

JUSTICE CHANDRA COMMISSION OF INQUIRY
DELHI ADMINISTRATION : DELHI

208, Din Dayal Upadhyaya Marg (Rouse Avenue)
New Delhi-110002

No. F. 1/2/91-JCCI/ Dated :

CORRIGENDUM

With reference to the Public Notice issued in this newspapers on 4th December, 1991. It is hereby notified that the word "on or before 6th June, 1991" be substituted by "on or after 6th November, 1991", in the eighth line of first para.

The error is regretted.

(U. R. KAPOOR)
Secretary

SCHEDULE—2-B

JUSTICE CHANDRA COMMISSION OF ENQUIRY
DELHI ADMINISTRATION : DELHI

208, Din Dayal Upadhyaya Marg (Rouse Avenue)
New Delhi-110002

Dated : 27-12-1991

PUBLIC NOTICE

In continuation of the Public Notice of 2-12-1991 published in the Newspapers on 4/5/6th December, 1991 whereunder affidavits from the public including various Organisations, Bodies and Agencies had been invited by 27-12-1991, for the purposes of making an enquiry into the need for the ascertaining all the relevant facts and circumstances leading to the deaths and serious sickness in certain areas of the Union Territory of Delhi reportedly after consuming a spurious brew being marketed as an

'Ayurvedic Medicine' on or after 6th November, 1991, it is hereby notified that time for filing affidavits is extended uptill 8th January, 1992 (Wednesday) between 11 AM to 4 PM on all working days at the above mentioned office of the Commission. This has been necessitated in view of the fact that no affidavit, except one from the Drug Controller, Delhi has been received and justice demand one more opportunity in this behalf and certain requests for extension of time have also been received.

By order of the Commission

U. R. KAPOOR,
Secretary

JUSTICE CHANDRA COMMISSION OF ENQUIRY
208, Din Dayal Upadhyaya Marg, (Rouse Avenue)
New Delhi-110002

SCHEDULE—2-C

(AFFIDAVITS RECEIVED IN RESPONSE TO PUBLIC NOTICE ISSUED BY THE COMMISSION)

Serial No.	Name, Designation & Address of the Person :
1.	Dr. V. P. Varshney, Director Health & Drugs Controller, Delhi Administration, Delhi.
2.	Shri Man Singh S/o Shri Mangat Ram R/o House No. 182, Haiderpur, Delhi.
3.	Shri Ved Ram S/o Shri Mangal Sani, R/o H. No. 668, Gali No. 8, Ambedkar Nagar, Haiderpur, Delhi.
4.	Mrs. Munaki, widow of Shri Jag Lal R/o Jhuggi No. 111, Haiderpur, Delhi.
5.	Smt. Pushpa W/o Shri Mohan Lal R/o Shiv Mandir, Govind Mohalla, Haiderpur, Delhi.
6.	Shri Phool Chand S/o Sukh Nandan, R/o H. No. 282, Ambedkar Nagar, Haiderpur, Delhi.

7. Shrimati Meena W/o Late Shri Radhey Sham,
R/o Gali No. 10, House No. (not given), Haiderpur, Delhi.

8. Shri Kali Charan S/o Net Ram,
R/o 472 F, Village Azadpur, Delhi.

9. Shri Daya Chand S/o Shri Harphool Singh,
R/o No. 87, Mandirwali Gali, Village Azadpur, Delhi.

10. Shri Balram Sharma S/o Jeevan Dass,
R/o 190, Village Azadpur, Delhi.

11. Shri Ramesh Chand S/o Shri Vannaram,
R/o B-155, J.J. Colony, Chaukhandi, Delhi.

12. Shri Ganna Lal S/o Shri Hodal Ram,
R/o 2-B, Village Chaukhandi, Delhi.

13. Shri Ram Swaroop S/o Shri Bhikam,
R/o A-682, J.J. Colony, Delhi.

14. Shri Dharam Pal S/o Shri Bihari Lal,
R/o A-352, J.J. Colony, Delhi.

15. Shri Khushal Chand S/o Shri Devi Dutt,
R/o A-761, J.J. Colony, Delhi.

16. Shri Madan S/o Shri Ram Parkash,
R/o A-760, J.J. Colony, Chaukhandi, Delhi.

17. Smt. Chander Kanta, W/o Late Shri Subhash Chander,
R/o E-490, J.J. Colony Khiyala, Tilak Nagar, Delhi.

18. Dr. Istiak Ahmad Shamshi,
S/o Shri Imayat Vilah,
R/o J-997/98, Jahangirpuri, Delhi.

19. Smt. Bimla W/o Late Shri Rambir,
R/o C-825, Jahangirpuri, Delhi.

20. Smt. Kiran Devi W/o Late Shri Meghnad,
R/o D-304, Jahangirpuri, Delhi.

21. Shri Raj Kumar S/o Shri Satish Kumar,
R/o D-157, Jahangirpuri, Delhi.

22. Shri Ram Kishore S/o Shri Parmanand,
R/o E-107, Jahangirpuri, Delhi.

23. Shri Ram Gopal S/o Shri Bansi Lal,
R/o Jhuggi No. 6, Lakhi Park, Jahangirpuri, Delhi,

24. Shri Mohd. Hanif S/o Abdul Sattar,
R/o E-1649, Jahangirpuri, Delhi.

25. Shri Sajjan Pal Garg, S/o Shri Rama Nand,
R/o Mandir Marg, Kewal Park,
Azadpur, Delhi.

26. Shri Jai Prakash S/o Shri Baloo Ram,
R/o No. 144, Jatav Mohalla, Azadpur,
Delhi.

27. Shri Kishan Partap Singh
S/o Shri Banwari Singh R/o Jhuggi No. 34-A/131,
Block H-2, Jahangirpuri, Delhi.

28. Shrimati Sita Devi W/o Shri Ram Singh,
R/o Jhuggi C-D Park, Jahangirpuri, Delhi.

29. Shri Mahavir Singh Gola S/o Girvir Singh,
R/o I-169, Jahangirpuri, Delhi.

30. Shri Brijesh Kumar S/o Shri Nain Singh,
R/o K-98, Jahangirpuri, Delhi.

31. Shri Jagdish Parshad Sharma S/o Shri Chunni Lal,
R/o I-278, Jahangirpuri Delhi.

32. Shri Jatinder Kumar S/o Shri Rameshwar Dayal,
R/o B-600, Jahangirpuri, Delhi.

33. Shri Jage Ram Dala, S/o Shri Maha Singh,
R/o 55-A, Sarai Peepal Thalla, Delhi.

34. Shri Narender S/o Shri Nathu Singh,
R/o Jhuggi No. B-222, Sarai Peepal Thalla,
Delhi

35. Shrimati Parma Devi W/o Deep Chand,
R/o B 257, Sarai Peepal Thalla, Delhi.

36. Shri Chander Mani S/o Thakur Dass,
R/o 26, Village Bhola, Delhi.

37. Shri Devinder Singh S/o Shri Uttam Singh,
R/o B-39, Rajan Babu Road, Adarsh Nagar, Delhi.

38. Shri Kuldeep Singh S/o Shri Nizamuddin Singh,
R/o A-15, G.T.K. Road, Adarsh Nagar, Delhi.

39. Shri Raj Kumar S/o Shri Shyam Narain,
R/o C-9, Lal Bagh, G. T. K. Road, Delhi

40. Shri Balwan Singh S/o Shri Chunni Lal,
R/o M-10/86, Bara Bagh, G. T K. Road, Delhi

41. Shri Ashroof Khan S/o Shri Munshi Khan,
R/o A-91, Lal Bagh, G. T. K. Road, Delhi

42. Shri D. N. Anand,
Prop. M/s A-16, Industrial Area, G. T. K. Road, Delhi

43. Shri Ram Narain S/o Shri Ram Gil,
R/o A-208, Kaushal Puri, G. T. K. Road, Delhi

44. Shri Vaid Mitter, Sem Geal S/o Payare Lal,
R/o 6, Shiv Colony, Kaithal Road, Karnal, Haryana

45. Shri Naresh Atray S/o Vishu Dutt,
R/o 883, Chaura Bazar, Karnal, Haryana

46. Dr. Unikrishnan Nair, P. V. C/o Public Division,
Voluntary Health Association of India,
Tong Swasthya Bhawan, 40, Institutional Area,
South of I. I. T., New Delhi-110016

47. Shri R. Narayana, Commissioner of Excise,
Delhi Administration, Delhi

48. Shri Balbir Singh, SHO, PS, Samey Pur Badli, Delhi

49. Sh. Tejpal S/o Man Singh,
R/o Jhuggi No. 108, Lakhi Park, J hangirpuri, Delhi

50. Shri K.K. Maheshwari, Assistant Director,
S.V.P. National Police Academy, Hyderabad

51. Shri R. Tewari, I.P.S. Deputy Commissioner of Police,
(Crimes and Railway) Delhi Police

52. Shri Lakshmi Kant Tripathi,
Excise Inspector, Allahabad

53. Shri Mukh Ram S/o Shri Ram Bharose,
R/o C-826, Jahangirpuri, Delhi

54. Shri Ramjas S/o Shri Namar,
R/o Jhuggi near Railway Station, Jahangirpuri, Delhi

55. Smt. Prema Devi W/o Late Lakshman Chaudhary,
R/o Village Badola, Delhi

56. Shri Gulshan Kumar S/o Shri Khushabi Ram,
R/o 4/296, Subhash Nagar, Delhi

57. Shri Satish Chandra,
Deputy Commissioner of Police,
(West District) P. S. Rajouri Garden, Delhi

58. Shri Preet Pal Singh, SHO,
P.S. Rajender Nagar, Delhi

59. Shri Raghubir Singh, SHO,
P.S. Nabi Karim, Delhi

60. Shri Data Ram, SHO,
P.S. Hauz Kazi, Delhi

61. Shri Mohan Singh, SHO,
P.S. Kamla Market, New Delhi

62. Shri Bhim Sain Bassi, I.P.S.
Deputy Commissioner (North Distt), Delhi.

63. Shri Davinder Bhatia S/o Shri B. R. Bhatia,
R/o B-51, Vishnu Garden, Part-I, Chaukhandi, New Delhi.

64. Shri Sunil Chadha S/o Shri Mohinder Kumar,
R/o WZ-12, Ram Nagar Extension, Tilak Nagar, Delhi.

65. Shri Ram Lal Bajaj S/o Shri P. D. Bajaj,
R/o A-226/227, J. J. Colony, Chaukhandi, New Delhi.

66. Shri Jagdish Vohra S/o Shri D. R. Vohra,
R/o Mukhram Garden, Chaukhandi, New Delhi.

67. Shri Ajit Singh, Inspector, S.H.O.
P.S. Parshad Nagar, Delhi.

68. Shri Sushil Kumar, S.H.O.
P.S. Karol Bagh, Delhi.

69. Shri P.R. Meena,
Deputy Commissioner of Police,
(Central Dirtrict) Delhi

70. Shri P.N. Arora,
SHO/PS : Pahar Ganj, New Delhi

71. Shri S.R. Vohra,
SHO/PS : Chandni Mahal, Delhi

72. Shri S.C. Batra,
SHO/PS : D.B.G. Road, New Delhi

73. Shri V.P. Rathe,
SHO/PS : Jama Masjid, New Delhi

74. Shri Mazhar Hussain,
SHO/PS : I.P. Estate, New Delhi

75. Shri Lachi S/o Shri Manak Ram,
R/o J-226, Mukherjee Park, Subhash Road, New Delhi

76. Shri Mohan Lal Matta S/o Shri Ganga Ram,
R/o J-7, Mukh Ram Garden, Chaukhandi, New Delhi

77. Shri Tirlok Chand S/o Shri Tikka Ram,
R/o J-228, Mukherjee Park, Subhash Road, New Delhi

78. Shri Surjit Singh S/o Shri Prem Singh,
R/o WZ-17, Ram Nagar, Tilak Nagar, Delhi

79. Master Joginder Parshad S/o Shri N.L. Parshad,
R/o Jhuggi No. 15, Pandit Din Dayal Upadhayaya,
Chaukhandi, Delhi

80. Shri V.K. Bajaj S/o Shri C.P. Bajaj,
R/o No. S-23, Gali No. 13, Anand Parbat, New Delhi

81. Shri Sayeed Shahbuddin S/o Shri Gulsher Khan,
R/o Gali No. 12, Anand Parbat, New Delhi

82. Shri Amrik Singh S/o Shri Bachan Singh,
R/o Gali No. 4, Anand Parbat, New Delhi

83. Shri S.C. Sharma,
SHO/PS : Darya Ganj, New Delhi

84. Shri Chander Mohan,
SHO/PS : Kashmere Gate, Delhi

85. Shri Ramesh Chand Saini,
SHO/PS : Timarpur, Delhi.

86. Shri Ravinder Nath Relhen,
SHO/PS : Partap Nagar, Delhi.

87. Shri Bir Singh,
SHO/PS : Subzi Mandi, Delhi.

88. Shri Ram Janam Singh,
SHO/PS : Sarai Rohilla, Delhi.

89. Shri Birbal S/o Shri Phusa Ram,
R/o Jhuggi Kali Waladars,
Anand Parbat, New Delhi.

90. Shri Sat Narain S/o Shri Jai Bhagwan,
R/o PP-31, Gali No. 10, Industrial Area,
Anand Parbat, New Delhi.

91. Shri Dinesh Kumar S/o Shri Girdhari Lal Garg,
R/o 25/8, Gali No. 8, Anand Parbat, New Delhi.

92. Shri O.P. Sharma S/o Shri N.L. Sharma,
SHO/PS : Anand Parbat, New Delhi,
R/o 69/2; Than Singh Nagar,
Anand Parbat, New Delhi.

93. Shri Ishwar Chand S/o Shri Manohar Lal,
R/o F-124, Punjabi Basti,
Anand Parbat, New Delhi.

94. Shri Tulsi Ram,
SHO/PS : Bara Hindu Rao, Delhi.

95. Smt. Pushpa Rani W/o Baldev Raj,
R/o P-336/3, Baljeet Nagar, Delhi.

96. Shri Mahesh Dass, S/o Shri Jagsi Dass,
R/o T-590, Baljeet Nagar, Delhi.

97. Shri Balraj S/o Shri Hari Singh,
R/o T-505/54, Baljeet Nagar, Delhi.

98. Shri Krishan Lal S/o Shri Lakshmi Lal Sethi,
R/o G-506/C-83, Baljeet Nagar, Delhi.

99. Shri Vishnu S/o Shri Randi Dass,
R/o T-510/L-46, Baljeet Nagar, Delhi.

100. Shri Harpal Singh S/o Shri Padam Singh
R/o H. No. 294, Haiderpur, Delhi.

101. Shri Rajeshwar Parasad Gupta,
S/o Shri Ram Saran, R/o B-17, Haiderpur, Delhi.

102. Shri Kishan Chand S/o Shri Hakim Chand,
R/o 84, Haiderpur, Delhi,

103. Shri Jai Charan S/o Shri Maran Chand,
R/o Jhuggi No. 101, Haiderpur, Delhi.

104. Shri Mohan S/o Shri Surkhi,
R/o No. 121, Nehru Camp, Haiderpur, Delhi.

105. Shri Amar Singh S/o Shri Partap Singh,
R/o Jhuggi No. 357, Outer Ring Road,
Haiderpur, Delhi.

106. Smt. Angoori Devi,
W/o Bir Singh
R/o Jhuggi No. 251, Sanjay Camp Outer Ring Road,
Haiderpur, Delhi.

107. Shri Laxman Singh
S/o Shri Ram Swaroop,
R/o House No. 16/6161 Gali No. 19,
Military Road, Bapa Nagar, Karol Bagh, New Delhi.

108. Shri Moti Lal
S/o Shri Sanwal Ram
R/o H. No. 16/7264 Gali No. 11,
Military Road, Bapa Nagar, Karol Bagh, New Delhi.

109. Shi Sagar Chand
S/o Shri Kalu Ram
R/o H. No. 16/478 H, Hardhyan Singh Road,
Karol Bagh, New Delhi.

110. Shri Harish Chand
S/o Shri Mohan Lal,
R/o H. No. 15/1693, Arya Samaj Road,
Bapa Nagar, Karol Bagh, New Delhi.

111. Smt. Ila Pathak
W/o Shri U. C Pathak,
R/o H. No. 5/11765, Sant Nagar,
Karol Bagh, New Delhi.

112. Shri Hira Lal Deepak,
S/o Late Shri Amrit Singh,
R/o 10859/1, Balmiki Colony,
Sant Nagar, Karol Bagh, New Delhi.

113. Shri Sunder Singh
S/o Shri Late Harnam Singh,
R/o 5266, Krishna Nagar,
Khalsa College, Dev Nagar,
Karol Bagh, New Delhi.

114. Shri Raghuraj Singh Chauhan,
S/o D. S. Chauhan,
Station Officer, P. S. : Sector 20,
Noida, District Ghaziabad, U. P.

115. Shri V. P. Varshney,
Drugs Controller, Delhi Admn., Delhi.
(Additional Affidavit)

SCHEDULE—3

(Names of depondents affidavit subjected to cross-examination)

Serial No.	Name
1.	Dr. V. P. Varshney Drugs Controller, Delhi Admn.
2.	Shri P. K. Jaggi
3.	Dr. S. K. Sharma
4.	Shri Man Singh
5.	Shri Ved Ram
6.	Mrs. Munaki
7.	Shrimati Pushpa
8.	Shri Phool Chand
9.	Shrimati Meena
10.	Shri Ramesh Chand
11.	Shri Panna Lal
12.	Shri Ram Saroop
13.	Shri Dharm Pal

14. Shri Khushal Chand
15. Shri Madan
16. Shri R. Narayana
    Excise Commissioner, Delhi Admn.
17. Shri Tej Pal
18. Shri K.K. Maheshwari
19. Shri R. Tewari, IPS,
    Deputy Commissioner of Police
    (Crime & Railway)
20. Shri L.K. Tripathi
21. Shri Gulshan Kumar
22. Shri Satish Chandra
23. Shri B.S. Bassi
24. Shri Ajit Singh
25. Shri Prahlad Rai Meena
26. Shri S.C. Batra
27. Shri Mazhar Hussain
28. Shri Ramesh Chander Saini
29. Shri Tulsi Ram
30. Shri Mahesh Dass
31. Shri Sunder Singh
32. Shri Raghuraj Singh Chahaun

SCHEDULE—4

Names of persons to whom Notices under Section 8-B of the Commissions of Enquiry Act, 1952 were issued.

Sl. No.	Name & Address
1.	Rajiv Sapra, Accused
2.	Naresh Bhardwaj, Accused
3.	Amrish Bhatnagar, Accused
4.	Sat Pal Sethi, Accused
5.	Ajay Sharma, Accused

6. V. P. Mawar, Medical Officer,
for The Head of the Deptt.,
Office of the Regional Ayurvedic & Unani Drugs, Ghaziabad (U.P.)

7. M/s Vijay General Stores,
J. J. Colony, Vill. Chaukhandi, Delhi.

8. M/s. Jaswant Medical Hall,
Chand Nagar, Delhi.

9. Subhash Chand,
B-20, J. J. Cly. Vill. Chaukhandi, Delhi.

10. Baldhar Singh, S. I.
P. S. Shalimar Bagh, Delhi.

11. Briju,
Gali No. 6, Ambedkar Nagar, Haider Pur, Delhi.

12. Ram Sarup,
Gali No. 6, Haider Pur, Delhi.

13. M/s. Tej Medicos,
Jahangir Puri
Through S.H.O., P. S. Jahangir Puri, Delhi.

14. Ashok Kumar Chhabra,
Prop. Chabra Chemist, S/o Kishan Lal,
3812, Mori Gate, Delhi.

15. Duli Chand S/o Om Parkash,
Chemist, Burari Village,
Through S.H.O. P. S. Timar Pur, Delhi.

16. Office of Excise Inspector Simhholi,
Ghaziabad, U. P.

17. Naresh Goel S/o Harsham Dass Goel,
Murad Nagar, Ghaziabad

18. Hem Raj, Chemist,
Opposite Singh Sahab Gurudwara, Subhash Nagar, Delhi

19. M/s. Aggarwal Chemists,
Corner of Block K, Jahangir Puri, Delhi

20. Ramesh Chand Sapra,
SHO P.S. Shalimar Bagh, Delhi.

21. Ashok Goel, Prop.
Shop No. 16/1501, Arya Samaj Road,
Near Shiv Mandir, Bapa Nagar, Delhi

22. Ram Bharosey,
Prop./Partner Shop, Baljit Nagar, Delhi

23. Harish Goel,
Prop. Goel Ayurvedic Store,
16/471, Military Road, Bapa Nagar, Delhi

24. Harjinder Singh,
Jaswant Medical Hall, Delhi

25. Surinder Singh Bedi,
R/o WZ-232, Chand Nagar, Delhi

26. Pankaj Bhatia,
WZ-K-55, Gali No. 13, Krishna Park, Delhi

27. Kewal Krishan,
Sarpanch, Kiryana Genl. Store, Vill. Bhalsava, J. Puri, Delhi

28. The Secretary,
Ministry of Health, Govt. of India, Delhi

29. The Secretary,
Ministry of Health, Uttar Pradesh, Lucknow

30. Baldhar Singh, S.I.
P.S. Shalimar Bagh, Delhi

31. Gurmeet Singh, SHO,
P.S. Adarsh Nagar, Delhi

32. Dr. Shiv Raj Singh,
Director of Ayurvedic & Unani Services, Lucknow,
Sarojini Marg, Lucknow, (UP)

33. Dr. Mangal Dev Trivedi,
Assistant Ayurvedic & Unani Drugs Controller,
Sarojini Marg, Lucknow, (UP)

34. Dr. Anand Bhushan Sharma, (Inspector)
Regional Ayurvedic & Unani Office, Ghaziabad (UP)

35. The Secretary (Health),
Delhi Administration, Delhi

SCHEDULE—5

(Names of the witnesses summoned by the Commission as Commission's witnesses)

Sr. No. Name of the Witness

1. Smt. Harsh Kumari, W/o Late Shri Charan Dass,
   R/o C-86, DDA Flats, Jahangirpuri, Delhi.
2. Dr. A.P. Mathur,
   Additional Medical Superintendent,
   Safdarjung Hospital, New Delhi.
3. Dr. K.L. Sharma,
   Chief Medical Officer,
   Ram Manohar Lohia Hospital, New Delhi.
4. Dr. Sunil Kumar Arora,
   Junior Specialist (Medical Deptt.)
   St. Stephen Hospital, Delhi.
5. Dr. U.D. Tyagi,
   Deputy Medical Superintendent,
   Hindu Rao Hospital, Delhi.
6. Dr. Raj Kumar,
   Deputy Medical Superintendent,
   Din Dayal Upadhyaya Hospital, New Delhi.
7. Dr. B. Kumar,
   Additional Medical Superintendent,
   E.S.I. Hospital, Basaidarapur, Ring Road, New Delhi.
8. Dr. Preeti,
   Deputy Medical Superintendent,
   L. N. J. P. Hospital, New Delhi.
9. Shri P.K. Chandla,
   President, 'Nashamukti Foundation'
   R/o 18/19, East Punjabi Bagh, New Delhi.
10. Shri P.K. Aggarwal,
    Consultant Alcohol,
    R/o 102, SFS DDA Flats,
    New Rohtak Road, Near Madipur, New Delhi.
11. Shri M.L. Bhardwaj,
    S/o Shri Bali Ram Bhardwaj,
    R/o Luxor, Present address :
    R-10/F-59, Naya Raj Nagar, Ghaziabad, (UP)

12. Shri M.R. Arya, S/o Shri Baldev Prashad,
R/o 32/56, West Patel Nagar, New Delhi.

13. Shri Umesh Lakhanpal, S/o Shri Tulsi Ram,
R/o 194, Village Shalimar, Delhi.

14. Shri Ram Phal Tyagi, S/o Shri Harbans Tyagi,
R/o Village Burari, Delhi-110009.

15. Shri Abdul Rashid, S/o Shri Abdul Hamid;
R/o D-1/3, Sarai Khalil, Sadar Bazar, Delhi-6.

16. Shri Roop Narayan, S/o Shri Ram Swaroop,
R/o 3709, Charkhewalan, Delhi-6.

17. Shri V. S. Bisaria,
Head of Chemistry Division, C.F.S.L., New Delhi.

18. Shri K. C. Sharma,
Assistant Drugs Controller (India),
Govt. of India, New Delhi.

19. Mrs. Nutan Man Mohan
W/o Shri Man Mohan,
R/o H. No. 61, Lodhi Estate, New Delhi.

20. Shri C. P. Kataria,
Head Clerk,
Justice Chandra Commission of Inquiry,
208, Rouse Avenue Marg, New Delhi.

21. Shri Shashi Kant,
Employee, Living Media India Ltd.

22. Amrish Bhatnagar, Accused

SCHEDULE—6

(Names of Defence Witnesses)

Serial No.	Name of the Witness

1. Shri Puran Chand
S/o Shri Isar Chand
R/o A-27, Jahangirpuri, Punjabi Camp, Delhi.

2. Shri Kewal Krishan Sarpanch
S/o Shri Piare Lal,
R/o A-107, DDA Flats, Punjab Migrant
Relief Camp, Jahangirpuri, Delhi.

3. Shri Ashok Kumar Chhabra
S/o Shri Krishan Lal Chhabra
R/o 3812, Mori Gate, Delhi

4. Shri Garish Kumar Nagpal
S/o Shri Ishwar Chand Nagpal,
R/o 3592, Ram Bazar, Mori Gate, Delhi.

5. Shri Umar Daraz
S/o Shri Mohd. Suleman,
R/o Gali Makhan Wali, Beriwala Bagh,
Azad Market, Delhi.

6. Shri Pankaj Bhatia,
Sole Proprietor of M/s Pankaj Drug Distributor,
WZ-K-55, Krishna Park Extension,
Tilak Nagar, Delhi.

7. Shri Gobind Ram
S/o Shri Tara Chand,
R/o A-57/58, J J Colony, Chaukhandi, New Delhi.

8. Shri Ashok Kumar Chadha,
S/o Shri Mela Ram Chadha,
R/o A-60, Chaukhandi, Tilak Nagar, Delhi.

9. Shri Ram Bharose S/o Shri Champat Lal,
R/o T-510, C-53, Baljeet Nagar, Delhi.

10. Shri Ashok Kumar S/o Shri Som Nath,
R/o R-51, West Patel Nagar, New Delhi.

11. Shri Ram Saroop S/o Shri Ram Kumar,
R/o 56 A, Badli Extention, Delhi-42.

12. Shri Mouji Ram S/o Shri Dharm Singh,
R/o Main Road, Haiderpur, Delhi-42

13. Shri Suresh S/o Shri Basso Ram,
R/o H. No./Main Road, Haiderpur, Delhi-42

14. Shri Navtej Sharma, S/o Shri Balbir Singh,
R/o H. No. D-79, Lord Krishna Road,
Adarsh Nagar, Delhi.

15. Shri Balkishan Gupta, S/o Shri Manna Lal,
R/o House No. I-522,
Jahangirpuri, Delhi.

16- Shri Shiv Kumar Bhardwaj, S/o Shri Amar Nath
R/o A-103, Jahangirpuri, Delhi.

17. Shri Vinod Kumar Sharma S/o Shri Deva Nand,
R/o D-64, Yadav Nagar, Sameypur, Delhi.

18. Shri Virendra Gupta
S/o Shri Dalip Singh Gupta,
R/o B-15, Nanda Road, Sarai Peepal Thala Extension,
Adarsh Nagar, Delhi-33.

19. Shri Satya Bhan
S/o Shri Om Parkash,
R/o A-723, Jahangirpuri, Delhi.

20. Shri Subhash Chander,
S/o Shri Bhagwan Dass.
R/o WZ-23, Ram Nagar,
Tilak Nagar, New Delhi-18.

21. Shri Mohd. Sharif,
S/o Shri Salimuddin.
R/o A-1, DDA Colony, Chaukhandi,
Tilak Nagar, New Delhi-18.

22. Shri Thakur Dass,
S/o Shri Thail Mal,
R/o A-18, DDA Colony, Chaukhndi,
Tilak Nagar, New Delhi-18.

23. Shri Shingara Singh (Lambarder),
S/o Shri Man Singh,
R/o B-83, J· J. Colony, Chaukhandi,
Tilak Nagar, New Delhi-18.

24. Shri Baldhar Singh, SI,
PS : Shalimar Bagh, Delhi.

25. Shri Devender Singh, Head Constable,
R/o H. No. 410, NW P. S.
Shalimar Bagh, Delhi.

26. Shri Mithai Lal,
S/o Shri Harjan Chauhan,
R/o Gali No. 8, Village Shalimar, Delhi.

27. Shri Mohinder Singh, S/o Dal Chand,
R/o H. No. 8, Village Haiderpur, Delhi.

28. Inspector R.C. Sapra,
No. D-1/447, posted in Security Branch of Delhi Police, Delhi.

29. Shri Gurmeet Singh,
Inspector/SHO : PS : Adarsh Nagar, Delhi.

30. Shri Mahabir Prashad Garg, S/o Shri Ram Niwas,
R/o A-316, Majlis Park, Azadpur, Delhi.

31. Shri Ramesh Pal Mehta, S/o Shri Mukand Lal,
R/o C-46, Nehru Road, Adarsh Nagar, Delhi.

32. Shri Duli Chand, S/o Shri Om Parkash
R/o Village Burari, Delhi.

33. Smt. Manju Gupta, W/o Shri Bansi Lal,
R/o Janta Medical Store, Burari, Delhi.

34. Shri Dasrath Tyagi S/o Shri Lakhi Ram,
R/o Village Burari, Delhi.

35. Shri Onkar Singh Tyagi S/o Shri Khem Chand,
R/o House No. 324, Village Burari, Delhi-9.

36. Shri Hari Ram Gupta S/o Shri Om Parkash Gupta,
R/o 93, New Wazir Chand Colony, Karnal, Haryana.

37. Shri Hem Raj S/o Late Shri Bachan Lal
R/o 78-A, LIG, Vikrant Enclave,
Mayapuri, New Delhi.

38. Shri Madan Lal S/o Late Shri Ramji Dass
R/o Shop No. 1, Main Market, Subhash Nagar, New Delhi.

39. Shri Surinder Singh Bedi (in judicial custody)
S/o Shri Satpal Singh Bedi,
R/o 232, Chand Nagar, New Delhi.

40. Shri Harish Chand Goel S/o Shri Rameshwar Dass,
R/o E-46, Tank Road, Gali No. 2, Bapa Nagar, Karol Bagh,
New Delhi-110005.

41. Shri Pali Ram Jain S/o Shri Laxmi Narain
R/o H. No. 702, Military Road, Bapa Nagar, Anand Parbat,
New Delhi-5.

42. Shri Som Pal S/o Shri Ram Saroop,
R/o 705, Military Road, Anand Parbat, New Delhi.

43. Shri Rajesh Kumar Aggarwal S/o Shri Surinder Kumar,
R/o H. No. K-1902, Jahangirpuri, Delhi.

44. Shri Satish Kumar S/o Shri Hukam Chand,
R/o K-727, Jahangirpuri, Delhi.

45. Shri Ram Lal S/o Shri Ganga Dutt,
R/o H. 19, Jahangirpuri, Delhi.

46. Shri Ashok Goel
S/o Shri Om Parkash,
R/o T-388, Baljeet Nagar, New Delhi.

47. Smt. Maya
W/o Shri Raja Ram
R/o 16/1501, Arya Samaj Road,
Karol Bagh, New Delhi.

48. Shri Daya Kishan
R/o 16/1502, Arya Samaj Road,
Karol Bagh, New Delhi.

49. Shri Purshotam
R/o 16/1269, Arya Samaj Road,
Padam Singh Road, Karol Bagh, New Delhi.

50. Shri J. Srivastva,
Joint Secretary (Medical),
Delhi Administration, Delhi
5, Sham Nath Marg, Delhi.

51. Shri Bhagat Ram
R/o 16/517(ii), Bapa Nagar, Karol Bagh,
Arya Samaj Road, New Delhi.

52. Shri Rajinder S/o Shri Lakshman Dass,
R/o 16/567(i), Bapa Nagar, Karol Bagh, New Delhi.

53. Shri Sauji Ram S/o Shri Duga Ram
R/o 16/568, Bapa Nagar, Karol Bagh, New Delhi.

54. Shri R.S. Prasad.
Excise Inspector, Simbhaoli Distillery,
Ghaziabad, U.P.

55. Dr. Sheoraj Singh,
Director of Ayurvedic & Unani, (Services)
Sarojini Naidu Marg, Lucknow (UP).

56. Dr. Mangal Dev Trivedi,
Assistant Drugs Controller, (Ayurvedic & Unani) Sevices,
Lucknow (UP).

57. Dr. Anand Bhushan Sharma,
Medical Officer, Govt. Ayurvedic Dispensary,
Brij Ghat, Ghaziabad, U.P.

58. Shri Sat Kumar Sharma S/o Shri J. C. Sharma
R/o Rishikul Rajkiya Ayurvedic College, Haridwar District,
Haridwar, U.P.

59. Shri Daya Chand S/o Shri Sujana,
R/o H. No. 433, Gali Jogionwali,
Azadpur, Delhi.

60. Shri Virender Singh,
Sales Tax Officer, Sector-6, Ghaziabad (UP).

61. Shri J. P. Singh,
Sales Tax Officer, Modi Nagar, Ghaziabad, U.P.

62. Shri Ram Niwas,
Joint Secretary, Medical, Govt. of UP,
Lucknow, UP.

63. Shri A. K. Bansal,
Assistant Manager, Allahabad Bank,
Navyug Market, Ghaziabad, UP.

64. Shri Abdul Gaffur S/o Shri Rashid Khan,
R/o House No. 1, Shadi Nagar, Azadpur, Delhi.

65. Dr. Prem K. Gupta,
Drugs Controller (India), Directorate of Health Services,
Nirman Bhawan, New Delhi.

66. Shri K. C. Sharma,
Assistant Drugs Controller (India),
Directorate of Health Services,
Nirman Bhawan, New Delhi.

SCHEDULE—7-A

List received from Hospitals of Delhi showing the name of persons who died or suffered sicknesses on or after 6-11-1991 during the tragedy.

Safdarjung Hospital

Sl. No.	Name	Father's Name	Address
1.	Rajinder Kumar	Phool Singh	WZ-34, Phase-3, Om Vihar Uttam Nagar.

Dr. Ram Manohar Lohia Hospital

2.	Vijay Kumar	Chedi Lal	16/1594, Bapa Nagar, Karol Bagh.
3.	Sheela	Raja Ram	190, Baba Farid Puri, Patel Nagar.
4.	Ram Kishan	Kala	662/21, Baljit Nagar.
5.	Raghubir Singh	Nathu Lal	E-510, F-15, Baljit Nagar.
6.	Joginder	—	T-564, Baljit Nagar.
7.	Udey Ram	Mange Ram	16/1343, Bapa Nagar, Padam Singh Road.
8.	Unknown	Unknown	W. Baljit Nagar.
9.	Rajinder	Makhan	WZ-103, Jhuggi Bahari Cly. Todapur.
10.	Laxman Dass	Devi Pd.	J-2051, Baljit Nagar.
11.	Paramjit Singh	Labh Singh	47A, Baba Farid Puri, Patel Nagar.
12.	Niranjan Singh	Shyam Lal	J-82, Gali No. 14, Punjabi Bagh.
13.	Sunil	Ram Prakash	A-760, DDA Colony, Chaukhandi, Tilak Nagar.
14.	Gyan Chand	Prabhu Dayal	16/1363, Bapa Nagar, Karol Bagh.
15.	Najanand	Kalu Ram	16/478, Bapa Nagar, Karol Bagh.
16.	Satish Kumar	Roshan Lal	T-486A, Baljit Nagar.
17.	Baldev Raj	Mew Ram	T-336/3-B, Baljit Nagar.
18.	Kishan	Dhanki Rai	Gali No. 11-C, Anand Parvat.
19.	Babloo	Ujagar Lal	46-B, Baba Farid Puri.
20.	Madan	Bhagwan	93, Gali No. 11, New Rohtak Rd., New Delhi.
21.	Vishnath	Dhihan	T-486, Baljit Nagar.
22.	Duji	Girija Pd.	Jhuggi Motia Khan, P. Ganj.
23.	Pappu	Mal Dass	349, Baba Farid Puri.
24.	Balvinder	Kartar Singh	2178/1, Guru Arjun Nagar.
25.	Ashok Kr.	Om Prakash	32/15, Ashok Nagar, Tilak Nagar, New Delhi.
26.	Unknown	Unknown	T-320, Baljit Nagar.
27.	Ashok Kr.	Unknown	T-562, Baljit Nagar.

St. Stephen's Hospital

28.	Kewal Krishan	—	K-929, J. Puri.
29.	Shyam	—	657, J.J. Cly. Tilak Ngr.

Deen Dayal Upadhyay Hospital

30.	Kishan Lal	—	A-761, DDA Cly., Chaukhandi
31.	Md. Sukrati	—	WZ-524, Basai Darapur
32.	Khushi Ram	—	2-296, Subhash Nagar
33.	Ram Das	—	175, Tihar Village
34.	Manku	—	BJ-4, Baljit Nagar
35.	Kishan Lal	—	D-46, RZ, Vishwanath Park
36.	Abdul Hameed	—	J-70, Beriwala Bagh, Subhash Nagar
37.	Subhash	—	E-490, Khyala Colony
38.	Surindra	—	Bhaghi Vihar, Uttam Nagar
39.	Prabhu Dayal	—	WZ-492, Tihar Village
40.	Kulwant Singh	—	A-797, J.J. Colony Chaukhandi
41.	Rakesh Kumar	—	B-153, J.J. Colony Chaukhandi
42.	Inder Singh	—	WZ-12B, Gulabi Bagh
43.	Om Prakash	—	32/15, Ashok Nagar
44.	Harbans Lal	—	17/113, Subhash Nagar

E.S.I. Hospital

45.	Tejbir Singh	—	K-1627, J. Puri
46.	Hari Sewak	—	K-1939, J. Puri
47.	Kishori Nath	—	C-227, Karol Bagh

Lok Narayan Jai Prakash Narain Hospital

48.	Laxman	Sant Ram	Vill. Bhalsava, J. Puri
49.	Satbir	Manglu	120, J. Puri
50.	Bhagwan Dass	Jaspal Singh	P-73, Vishnu Garden
51.	Arjun	Dhir Bahadur	Lal Bagh, Vijay Cinema
52.	Jagdish	Vishwanath	Vill. Bhalsava, J. Puri
53.	Krishana Devi	Nehlu Raj	I BLK, J. Puri
54.	Upendra	Bhola	94, Sarai Peepal Thala, Harijan Basti, Adarsh Nagar

Hindu Rao Hospital

55.	Sida Bahadur	—	Sat Guru Dhaba, Azadpur
56.	Har Prasad	Nathu Lal	E-1168, J. Puri
57.	Chhaju Lal	Shiv Lal	C-1470, J. Puri

58.	Pramod Kumar	Ram Lal	C-1812, J. Puri
59.	Rajinder	Mukand Ram	106, Vill. Azadpur
60.	Ram Sharbat	Dukhi Ram	K-618, J. Puri
61.	Suresh	Mewa Ram	5241, Gali No. 17, Nai Basti, Anand Parbat
62.	Madan Lal	Guru Dayal	Gali No. 1, Vill. Shalimar
63.	Madan	Lale Ram	G-1577, J. Puri
64.	Faqir Chand	Tulsi Ram	190, Azadpur Village
65.	Durjan Singh	Mani Ram	168/B-I, Azadpur
66.	Vilayati Ram	Mool Chand	B-1115, J. Puri
67.	Sher Bahadur	Rikhai	179, Arya Samaj Rd.
68.	Shaukat Ali	—	K-895-96, J. Puri
69.	Harkesh	Murari Lal	44, Azadpur, Delhi
70.	Har Narayan	Khem Chand	K-202, J. Puri
71.	Har Prashad	Prabhu Dayal	TK-103, J. Puri
72.	Sagar	Foji Singh	143, Haider Pur, Delhi
73.	Zamalu	Rashid	Jhuggi B-1, Shalimar Bagh
74.	Charan Das	Tota Ram	C-86, DDA Flats, J. Puri
75.	Mahinder	Mahesh Jatav	B-94, Ashoka Plastics, Azadpur
76.	Ramanand	—	—
77.	Unknown	—	—
78.	Ramvir	Harbans Lal	C-825, J. Puri
79.	Shakti	Ishwar Dass	K-1323-24, J. Puri
80.	Hari Ram	Gariba Ram	130, Vill. Azadpur
81.	Cheddi Lal	Dujal	559, Jhuggi Lal Bagh
82.	Amrik Singh	Pyara Singh	F-13, Mahendra Park
83.	Om Prakash	Surjan	I-1985, J. Puri
84.	Vijay Singh	Kundan Lal	Tikkam Gali No. 7, Haiderpur
85.	Santosh	Bhuvneshwar	Jhuggi 177, Haiderpur
86.	Puran Mal	Jelu Ram	BE-2947, J. Puri
87.	Shri Krishan	Bhagwan Das	114, Vill. Bhalsava, J. Puri
88.	Harvinder	Uttam	B-39, J. Puri
89.	Ram Ashrey	Mukh Ram	Vill. Bhalsava, J. Puri
90.	Ganga Ram	Bhola Ram	Harijan Basti, Burari
91.	Raj Devi	Ram Jas	Jhuggi 103, Rly. Stn. Azadpur
92.	Ganga Ram	Ram Singh	—
93.	Laxminder	Birma	Jhuggi D, Shahbad Dairy
94.	Jetha	Jai Ram	333-H, Jhuggi, J. Puri
95.	Raj Kumar	Khat Lala	101, Vill. Bhalsava, J. Puri
96.	Ram Kumar	Ram Avtar	K-128, Jhuggi, J. Puri

99.	Unknown	—	—
100.	Ballu Ram	Mawasi Ram	144, Village Azadpur
101.	Raju	Sham Lal	D/87, Lal Bagh, Azadpur
102.	Darshan Lal	Jamuna Pd.	K-901, Jahangirpuri
103.	Gopi Mehta	Bhola Mehta	Jhuggi Kela Godown, Azadpur
104.	Guru Bachan	Ladha Ram	266, Azadpur Village
105.	Chander Bhan	Ram Singh	C-1770, Jahangirpuri
106.	Amar Singh	Munsi Ram	J-1770, Jahangirpuri
107.	Deep Chand	—	—
108.	Kishan Lal	Bhagwan Dass	Balwant Thekedar, Azadpur
109.	Jug Lal	Ram Dutt	Jhuggi-112, Haiderpur
110.	Sohan Lal	—	—
111.	Naseer Khan	Basu Khan	Gali No. 1, Ambedkar Nagar Colony
112.	Nazir	Wazir	J-III/34, J. J. Colony, Wazirpur
113.	Islam	Asaf Ali	Jhuggi-E-1100, J. J. Colony, Wazirpur
114.	Ramesh	Hari Ram	K-1696-97, Jahangirpuri
115.	Raj Kumar	Babu Lal	B-1544-45, Jahangirpuri
116.	Abdul Hafiz	A. Khalid	E-328, Jahangirpuri
117.	Madan Lal	Bishan Das	G-772, Jahangirpuri
118.	Satish	Kanhaiya Lal	K-1544, Jahangirpuri
119.	Raj Singh	—	C-218, Jahangirpuri
120.	Rajinder	Subender Singh	B-2015, Jahangirpuri
121.	Narender	Mohantey	K-123, Jahangirpuri
122.	Jai Ram	Chotu Ram	B-61, Sanjay Camp, Haiderpur
123.	Shyam	Beni Pd.	—
124.	Govind	—	—
125.	Ranjeet	—	—
126.	Shivji	—	—
127.	Babu Lal	—	—
128.	Tulsi	—	—
129.	Kishore	—	—
130.	Sewa Ram	—	—
131.	Unknown	—	—
132.	Ishwar Dass	—	—
133.	Shiv Lal	—	—
134.	Naveen	—	—
135.	Hira Lal	—	—

LIST RECEIVED FROM VARIOUS HOSPITALS OF DELHI

Details of Blind Persons

Sl. No.	Name	Father's Name	Address
	Safdurjung Hospital		
1.	Hardeep Singh	Mohinder Singh	A-797, J. J. Cly., Chaukhandi
	Ram Manohar Lohia Hospital		
2.	Bal Kishan Singh	Gangu Singh	E-14, Govt. Qrs., Dev Nagar
3.	Dharam Pal	Shambhu Dayal	16/14, Pyare Lal Road, Bapa Nagar
4.	Narendra Kumar	Mohan Ram	16/169, A.S. Rd., Bapa Nagar
	St. Stephens Hospital		
5.	Joy Phillips	Julies Phillips	A-573, J. J. Cly., Chaukhandi
	Deen Dayal Upadhayay Hospital		
6.	Islam	—	B-102, Om Vihar, Delhi
	E. S. I. Hospital		
7.	Radhey Shyam	Roop Chand	31/16, Ashok Nagar, Delhi
	Lok Narayan Jai Prakash Hospital		
8.	Nek Bahadur	Bir Bahadur	52/41, Gali No. 17, Nai Basti, Delhi
	Hindu Rao Hospital		
9.	Ashok Kr.	Raghu Nandan	674, Gali No. 8, Haiderpur
10.	Ashok Kr.	Sareshwar Pd.	Jhuggi 80, K-Blk., J. Puri
11.	Ashok	Bhora Ram	16/569, Bapa Nagar, Delhi
12.	Bhuneshwar Saha	Sidhan Saha	32, Punjabi Gali, Sarai Peepal Thala, Azadpur
13.	Bengali	Mangal	D-33, M. S. Mandi, Azadpur
14.	Darshan	Phool Chand	Sarai Peepal Thala, Azadpur
15.	Baijnath	Mirsan Paswan	Juggi 48, Rly. Stn. Azadpur
16.	Babu Lal	Ved Ram	Jhuggi-394, J. Puri
17.	Babu Lal	Asha Ram	J-82, Gali No. 4 Punjabi Basti, Delhi
18.	Bhargu	Ram Bhoop	131, Malik Puri
19.	Chottu	Algu	Vill, Bhodola, Azadpur
20.	Chander Shekhar	Hilal Ram	25, Gali Noshad Wali Azadpur
21.	Dewan Singh	Prem Singh	D-1084, J. Puri
22.	Hub Lal	Ram Piare	B-1371, M. S. Mandi, Azadpur

23.	Harnath	Lok Ram	A-148, Jahangir Puri
24.	Jai Bhagwan	Rattan Lal	484, Azadpur
25.	Jagdish	Hari Rattan	Jhuggi K/2/41-42, J. Puri
26.	Murari Lal	Babu Lal	G-157, J. Puri
27.	Nizamuddin	Sarvar	Jhuggi 206, Azadpur
28.	Panch Dev	Bhikka	Jhuggi Lal Bagh
29.	Pyare Lal	Khajan Singh	670, Nehru Kutiya, S. Mandi
30.	Ram Mehar	Moode	100, Vill. Bhodola, J. Puri
31.	Ram Avtar	Surja Singh	400, Gali Mandir Wali, Azadpur
32.	Ramji Pd.	Diwakar Pd.	22, Vill. Bhodola
33.	Ram Gopal	Bhog Ram	Jhuggi K-Block, J. Puri
34.	Ramesh	Shiv Charan	Jhuggi K-141, J. Puri
35.	Raja Ram	Sohan Singh	Jhuggi K-Blk., J. Puri
36.	Ram Surat	Jhinnu	Jhuggi Zakhira
37.	Rogan Lal	Ram Raj	Gali No. 8, Anand Parbat
38.	Shankar	Ram Chadha	Jhuggi Near Azadpur
39.	Sultan Singh	Balak Ram	M.S. Mandi, Azadpur
40.	Shyam Lal	Jagdish	233, Badi Nagar, Azdapur
41.	Satish	Karan Singh	467, Vill. Azadpur
42.	Sahu Mehta	Ram Kali	9B/44, A-Blk, Kela Godown
43.	Surender	Mahesh	B-94, Ashok Plastic Factory
44.	Samsher Singh	Madhuwan	E-35, Rama Park, Siraj Pur
45.	Srinath	Anand	253, Vill. Bhodola
46.	Sham Sunder	Jiwan Das	16/620, Bapa Nagar
47.	Surinder Singh	Pyare Lal	91, Gali No. 13, Anand Parbat
48.	Suresh	Khasra Singh	A-41, Indra Park
49.	Tejpal	Man Singh	Jhuggi Lakhi Park, J. Puri
50.	Unknown	—	—
51.	Ved Ram	Mangal Sain	Gali No. 3, Haiderpur
52.	Chander Shekhar	Amar Chand	Jhuggi Haiderpur

LIST RECEIVED FROM VARIOUS HOSPITALS OF DELHI

Details of persons who suffered sicknesses such as—Vomiting, Giddiness, Nausea, Blurred Vision.

Sl. No.	Name	Father's Name	Address
	Safdurjung Hospital		
1.	Gurcharan Singh	Harbhajan Singh	K-87, Raghubir Singh
2.	Mohinder	Kulwant Singh	4/126, Shahpur Jatt
3.	Unknown	—	—
4.	Unknown	—	—
	Ram Manohar Lohia Hospital		
5.	Arjun Dass	Dharam Dass	A-475, J. Puri
6.	Ajay Mohan	J.L. Gambhir	T-2236, Faiz Road
7.	Bhim	Bhagwan Dass	10881, A-Block, Sat Nagar
8.	Chunni Lal	Nihal Chand	J-111, Gali No. 14, Punjabi Camp
9.	Chander Bhan	Banwari Lal	Baba Farid Puri, Anand Parbat
10.	Dwarika Pd.	Kanaihya Lal	AD-2/23, Baljit Nagar
11.	Jagdish	Kesar	69, Gali No. 2, Anand Parbat
12.	Karnal	Ram Chander	1795, Gali No. 2, Balmiki City
13.	Kundan	Bishan	354, Gali No. 2, Anand Parbat
14.	Mohan Lal	Ram Chander	6169, Gali No. 4, Block-1, Bapa Nagar
15.	Man Singh	Nanak Chand	16/1311, Bapa Nagar
16.	Mohan Lal	Sohan Lal	A-4/8, J. J. Cly., Pandav Nagar
17.	Mam Raj	Dal Singh	B-315, Baljit Nagar
18.	Manish	Jaggi Dass	J-491, Baljit Nagar
19.	Madan	Ram Prakash	A-760, DDA Cly., Chaukhandi
20.	Nand Lal	Hari Ram	J-563, Gali No. 3, Baljit Nagar
21.	Narinder Singh	Bir Bingh	7, Palika Hostel, Ram Bazar
22.	Narain	Ganpat Rai	91/13, Anand Parbat
23.	Pyare Lal	Duli Chand	16/1470, Bapa Nagar
24.	Puran Chand	Sneh Lal	245-A, Baba Farid Puri
25.	Rohtas	Shambu Dyal	10/80, Gali No. 8, Balmiki City
26.	Ram Kali	Lale Pd.	A-190, Baba Farid Puri
27.	Radhey Lal	Bihari Lal	349-C, Baba Farid Puri
28.	Rajesh	Mohinder	197, Baba Farid Puri
29.	Raj Kumar	Narain	I-16, Type I, Krishi Kunj
30.	Raju	Ram Chander	6747, Gali No. 1, Dev Nagar

31.	Ramesh	Gyan Singh	75, Jodhpur, Pandav Nagar
32.	Ram	Ram Manjoori	Kothi No. 3, Madhav Road
33.	Rajender Singh	Nathu Ram	17/124, Gali No. 3, Man Singh Road
34.	Satya Kumar	Umrao	A-19, New Subzi Mandi
35.	Subash	Julies Robert	A-573, J.J. Cly. Chaukhandi
36.	Satish Kumar	—	143, Chand Nagar
37.	Vishnu	Khedi Ram	T-510, C-46, Baljit Nagar
38.	Rajesh Kumar	Ram Chander	48-A, Baba Farid Puri
	St, Stephens Hospital		
39.	Hans Raj	—	A-657, Tilak Nagar
40.	Kadar Singh	—	H-3/373, J. Puri
	Deen Dayal Upadhyay Hospital		
41.	Kalicharan	—	H-445, Chaukhandi
42.	Sukhbir Singh	Janmet Das	J-572, Baljit Nagar
	ESI Hospital		
43.	Gyan Bahadur	—	C-1, Okhla Ind. Area
44.	Chandra Bahadur	Tulka Bahadur	Jhuggi Bada Bagh
	Lok Nayak Jai Prakash Hospital		
45.	Ashok Kr.	Hukam Chand	9/1, Amrit Kaur Puri Tank
46.	Chunni Lal	Ram Dayal	Gali No. 47, Regar Pura
47.	Durga Pd.	Dal Chand	16/1362, A-Blk, Bapa Ngr.
48.	Gyan Chand	Mangal Ram	6255, Gali No. 1, Blk. 6 Dev Ngr.
49.	Ganga Ram	Hira Lal	Gali No. 3, Anand Parbat
50.	Jai Kishan	Ganga Sharan	27/6, Arya Samaj Road, Karol Bagh
51.	Kishan	Ghasi Ram	179, School Wali Gali, Azad Pur
52.	Kalu Ram	Nawal Kishore	9/1, Amrit Kaur Puri
53.	Mumtaj Ad.	Mustaq Ad.	423, Matia Mahal, Jama Masjid
54.	Mani	—	Footpath New Delhi Rly Stn.
55.	Rajesh	Shiv Shankar	1466, Jhuggi Chander Shekhar
56.	Raj Kr.	Dayanand	Gali No. 5, Karol Bagh
57.	Ram Gopal	Kashmiri Lal	17/124, Gali No. 3, Man Singh Rd.
58.	Ramesh Chand	Mangloo Ram	2513, Gali Lajpat Rai, K. Bagh
59.	Ram Kishan	Ganga Sharan	2726, Gali Arya Samaj
60.	Shish Pal	Mukhtiar Singh	321, Shah Pur Jatt
61.	Sheela	Niranjan Das	42/3, Anand Parbat
62.	Shri Kishan	Mani	Footpath N. D. Rly. Stn.
63.	Suresh	Banke Lal	C-14, Jhuggi Lal Singh
64.	Srinath	Kishan Lal	Qutab Rd., Sadar Bazar
65.	Tara Chand	Babu Ram	489, Gudi Nagar, Azad Pur
66.	Tej Ram	—	Gali No. 13, S. P. Badli

Hindu Rao Hospital

67.	Bhagwani Pd.	Dwarka Pd.	B-1242, J. Puri
68.	Banwari Lal	Phool Singh	B-1, Laxman Park, Krishna Ngr.
69.	Cheyi Ram	Darbar Singh	14, Patharwala Bagh, Wazir Pur
70.	Chedi Lal	Nar Rai	Jhuggi Derawal Ngr.
71.	Dharam Pal	Bhagwan Singh	H-1141, J. Puri
72.	Hari Das	Parvat	Hans Raj Colony, J. Puri
73.	Hari Chand	Kali Charan	F-133, J. J. Cly. Wazirpur
74.	Hukam Singh	Devi Singh	489, Rly. Road, Sadi Nagar
75.	Kulwant Singh	Thakur Singh	K-1572, J. Puri
76.	Kailash	Jamun	Jhuggi No. 1906, J Blk., J. Puri
77.	Kewal	Bijwas	B-388, Yamuna Vihar
78.	Mandiska	Kaltan	Sarai Peepalthala, Azadpur
79.	Narinder	Nathu Singh	B-2, Sarai Peepalthala
80.	Nirmal	Hem Chand	Jhuggi K-Blk., J. Puri
81.	Pitamber	Ram Kr.	B-490, J. Puri
82.	Ram Garib	Panchu	311, Sanjay Camp, Haider Pur
83.	Ramjas	Nimhal	Jhuggi Azadpur Rly. Stn.
84.	Ram Sewak	Vijay	Jhuggi J. Puri
85.	Ram Lakhan	Hira Man Singh	373, H-3/4, I-Blk., J. Puri
86.	Radhesham	Ghansham	Kela Godown, Azadpur
87.	Surya	Desraj	A-73, Azadpur
88.	Suraj Singh	Hari	Jhuggi No. 13, Vill. Bhodola
89.	Shyam	Bispal	Jhuggi Mool Chand, Adarsh Ngr.
90.	Sat Narain	Raj Kr.	Jhuggi 324, K-Blk. J. Puri
91.	Sher Singh	Puran Singh	B-1198, J. Puri
92.	Suresh Kr.	Suraj	G-791, J. Puri
93.	Suraj Bali	Kundan	D-217, Jhuggi Sarai Rohilla
94.	Unknown	—	—
95.	Unknown	—	—
96.	Tulsi Ram	Devi Singh	C-826, J. Puri
97.	Ram Tirath	Ram Mahesh	31/6, Ashok Nagar

SCHEDULE—7-B

List received from Crime Branch of Delhi Police showing the names of persons who died or suffered sicknesses on or after 6-11-1991 during the tragedy-

Sl. No.	Name	Father's Name	Address
1.	Vijay Kumar	Challi Ram	16/1595, Bapa Nagar, Delhi
2.	Uday Ram	Mangle Ram	16/1343 E, Padam Singh Road, Bapa Nagar, Karol Bagh, Delhi
3.	Gyan Chand	Prabhu Dayal	16/1363, Arya Samaj Road, Karol Bagh, Delhi
4.	Nija Anand	Kalu Ram	16/478 H, Bapa Nagar, Delhi
5.	Rajinder Mahto	Bhola Mahto	Jhuggi 89, Near Kela Godown, New Azadpur Stn., Delhi
6.	Ram Iqbal	Gauri Shankar Yadav	Jhuggi C/O Number Shahbad Dairy, Near Samey Pur Badli, Delhi
7.	Banwari Lal	Pyare Lal	112 A, B Block, Batra Cly., Sant Ngr., Buradi, Delhi
8.	Gulcharan Singh	Butta Singh	H. No. 32, Gopal Nagar, Delhi
9.	Kishan Lal	Bhagwan Dass	Balwant Thekedar, Azadpur Chowk, Delhi
10.	Babu Lal	Mangal Bheta	New Subzi Mandi, Azadpur
11.	Kamal Mitra	Birinder Kumar	458, Azad Pur, Adarsh Nagar, Delhi
12.	Unknown	—	—
13.	Balla Ram	Mawashi Ram	144, Azad Pur, Delhi
14.	Gurbachan	Ladha Ram	266, Azad Pur, Delhi
15.	Raj Kumar	Kesar Dass	D-68, Adarsh Nagar, Delhi
16.	Amar Singh	—	—
17.	Bhajan Yadav	—	Village Ghuwari, DT&PS, Azamgarh, U.P.
18.	Duwarka Ram	Nagai	Vill. Jafipur, PS Barpata DT Azamgarh, U.P.
19.	Rajdevi	Ram Dass	Jhuggi Rly. Stn., Adarsh Nagar
20.	Harminder	Uttam Singh	B-39, Rajan Babu Road, Delhi
21.	Deep Chand	Shanik Ram Chand	D-Block, NS Mandi Adarsh Nagar

22.	Upinder	Bhola	94, Sarai Peepal Thala, Adarsh Nagar, Delhi
23.	Madan	Hem Ram	Arjun Nagar, Gurgaon, Haryana
24.	Unknown	—	A-1, Indra Nagar, Delhi
25.	Durjan Singh	Mani Ram	H. No. 468, B-1, Azadpur, Delhi
26.	Unknown	—	Opp. N. Azadpur, Rly. Stn.
27.	TejRam	Muna Ram	Jhuggi No. 365, H-Block J. Puri, Delhi
28.	Fakir Chand	Tulsi Ram	H. No. 190, Azadpur, Delhi
29.	Rajinder	Mukand Ram	106, Azad Pur Rly. Line, Delhi
30.	Harkesh	Mawashi Ram	44, Azadpur, Delhi
31.	Vishwanath	Ram Nath	N.N. Ashram Distt., Bihar
32.	Jai Parkash	Deep Chand	465, B-3A, Azad Pur, Delhi
33.	Babu Ram	Gaje Singh	40, Ravi Dass Col, Sarai Peepal Thala, Delhi
34.	Dhanwanti	Ganbu Sain	D-51, Jhuggi Sarai Peepal Thala, Delhi
35.	Paramjit Singh	Lal Singh	E-13, Baba Farid Puri, Delhi
36.	Ranbir	Amrit Mehtu	A-128, Jhuggi Sarai Peepal Thala, Delhi
37.	Shanti Devi	Shanker Lal	89, Ravi Dass Sarai Peepal Thala, Delhi
38.	Tilak Raj	Ambali	B-271, Sarai Peepal Thala, Delhi
39.	Sida Bahadur	Akul Bahadur	Vill. Mahender Nagar Jhalan Word No. 4. PS Mahender Ngr., DT Kanchan Pur, Nepal
40.	Hari Ram	Gauba Ram	R/o 130 Azad Pur
41.	Santosh Sareen	B.D. Sareen	EC-154, Tagore Garden, Delhi
42.	Dhane	Dal Chand	58, Village Bharola, Azad Pur
43.	Birbal	Jai Karan	34, Suraj Nagar, Azad Pur, Delhi
44.	Unknown	—	—
45.	Deep Chand	Raja Ram	Jhuggi B-257, Sarai Peepal Thala, Delhi
46.	Gangu Ram	Chandgi Ram	120, Gali-1, Rameshwar Ngr., Delhi
47.	Laxman Choudhary	Ganesh Choudhary	H. No. 56, Vill. Bharola, Delhi
48.	Desai Choudhary	Chander Balu	D-31, Village Bhodola, Delhi
49.	Jai Ram Dass	Raghu Mal	B-9/299, Sect. 3, Rohini, Delhi

50.	Lalu Ram	Bahane Ram	A-118, Jhuggi Dal Bagh, Azad Pur, Delhi
51.	Ganesh	Laxman Pd.	New Subzi Mandi, Azad Pur, Delhi
52.	Ram Gopal	Durjan Singh	26/271, Sadi Nagar, Rly. Stn., Azadpur, Delhi
53.	Jawala Prasad	Bharat Singh	B-140, Dina Nath Rd., Roshanara Rd., Delhi
54.	Islam	Asik Ali	R/o A-100, Gujranwala Bagh, Delhi
55.	Nazir	Wazir	J-111-34, J. J. Cly., Wazir Pur, Delhi
56.	Rajender	Subedar	B-26/2, Wazir Pur Ind. Area, Ashok Vihar
57.	Shyam	Banu Prasad	B-72/2, Wazir Pur Ind. Area, Delhi
58.	Ramesh	Hari Ram	K-1696-97, Jahangir Puri, Delhi
59.	Sohan Lal	Shiv Mangal	H-406, Jahangir Puri, Delhi
60.	Om Prakash	Suryadev Pandey	1985, I Block Jahangir Puri, Delhi
61.	Madan Lal	Bishan Das	G-772, Jahangir Puri, Delhi
62.	Hari Sewak	Shiv Dayal	K-1939, Jahangir Puri, Delhi
63.	Tejbir	Ranveer	K-1627, Jahangir Puri, Delhi
64.	Babu Lal	Panna Lal	C-1064, Jahangir Puri, Delhi
65.	Abdul Hafiz	Abdul Khalik	E-328, Jahangir Puri, Delhi
66.	Chander Bhan	Ram Singh	C-1367, Jahangir Puri, Delhi
67.	Amar Singh	Muneshi Ram	J-1770, Jahangir Puri, Delhi
68.	Rani	W/Bansi Lal	D/439, Jahangir Puri, Delhi
69.	Buran Khan	Hamid Khan	74, ITI Jahangir Puri, Delhi
70.	Darshan Lal	Jainam Prasad	K-901, Jahangir Puri, Delhi
71.	Kali Charan	Puran	C-1159, Jahangir Puri, Delhi
72.	Ram Kumar	Ram Avtar	Jhuggi 128, K-Block, Jahangir Puri, Delhi
73.	Jetha Singh	Jai Ram	H-4/333, Jhuggi Jahangir Puri, Delhi
74.	Raj Kumar	Man Bahadur	H. No. 101, Village Balaswa, Jahangir Puri, Delhi
75.	Shakti	Ishwar Dass	K-1324, Jahangir Puri, Delhi
76.	Ganga Ram	Sing Ram	Jhuggi B-36, J. Blk-, Jahangir Puri, Delhi
77.	Sri Krishan	Bhagwan Dass	Village Balaswa, Jahangir Puri, Delhi

78.	Ramveer	Harbans Lal	C-825, Jahangir Puri, Delhi
79.	Raj Singh	Kedar Singh	C-218, Jahangir Puri, Delhi
80.	Ram Asrey	Mukh Ram	Vill. Bhalsano Bell, Delhi
81.	Satish	Kanhaya Lal	K-1544, Jahangir Puri, Delhi
82.	Laxman	Sant Raj	Vill. Balaswa, Jahangir Puri, Delhi
83.	Jagdish	Vishwanath	Vill. Balaswa, Jahangir Puri, Delhi
84.	Sabir Ahmad	Mangloo Mistery	Jhuggi 120, H-38, CD Park, Jahangir Puri, Delhi
85.	Raj Kumar	Babu Lal	B-1544-45, Jahangir Puri, Delhi
86.	Narender Kumar	Mohan Lal	K-123, Jahangir Puri, Delhi
87.	Kishori Lal	Bhoop Ram	E-248, Jahangir Puri, Delhi
88.	Megh Nath	Rattan Lal	B-304, Jahangir Puri, Delhi
89.	Ravindra Sharma	Jitender Sharma	101/3, CD Park, Jahangir Puri, Delhi
90.	Har Narain	Khem Chand	Vill. Balaswa, Jahangir Puri, Delhi
91.	Seva Ram	Jagan Nath	Jhuggi 296, CD Park, Jahangir Puri, Delhi
92.	Charan Dass	Tota Ram	C-86, DDA Flats, Jahagirpuri, Delhi
93.	Parmod Kumar	Ram Lal	G-1812, Jahangir Puri, Delhi
94.	Ram Sarbat	Dukhi Ram	K-618, Jahangir Puri, Delhi
95.	Har Prasad	Prabhu Dayal	Jhuggi No. 103, K-Blk., Lodhi Park, Jahangir Puri, Delhi
96.	Naresh Mange	Tukalal Mange	C/o Baljeet Yadav, Vill. Balaswa, Jahangir Puri, Delhi
97.	Soket Ali	Abdul Rehman	K-896-97, Jahangir Puri, Delhi
98.	Smt. Krishna	W/o Banne	I-1084, Jahangir Puri, Delhi
99.	Kewal Krishan	Sundar Dass	K-929, Jahangir Puri, Delhi
100.	Vilayati Ram	Mool Chand	B-1115, Jahangir Puri, Delhi
101.	Chajju Ram	Shiv Lal	C-1417, Jahangir Puri, Delhi
102.	Ramu	Jullam Shah	318, CD Block, Jahangir Puri, Delhi
103.	Ramhit	Bhikari Ram	A-24, Rajiv Ngr., Vill., Balaswa, Delhi
104.	Har Parsad	Nathu Lal	C-1168, Jahangir Puri, Delhi
105.	Om Prakash	Khyali Ram	Jhuggi 427, G-Block, Jahangir Puri, Delhi

106.	Amrik Singh	Pyara Singh	F-13, Mohindra Park, Jahangir Puri, Delhi
107.	Rama Nand	Lal Bahadur	Vill. Raghu Hotel, Rai Bareily Present Add. 82/9, State Bank Cly., Gujrawala Town, Delhi
108.	Shiv Lal	Vijay Singh	I-1458, Jahangir Puri, Delhi
109.	Madan Lal	Sri Lala Ram	G-1575, Jahangir Puri, Delhi
110.	Puran Mal	Jadu Ram	EE-2947, Jahangir Puri, Delhi
111.	Tirath Pal	Dori Lal	Jhuggi No. 331, G-Block, Jahangir Puri, Delhi
112.	Prem	S. Thomas	K-717, Jahangir Puri, Delhi
113.	Ajeet	Samunder	E-1838, Jahangir Puri, Delhi
114.	Jeeva Ram	Uka Ram	H-787, Jahangir Puri, Delhi
115.	Raju	Raja Man	H-2/706, Jahangir Puri, Delhi
116.	Tulsi Ram	Okha Ram	H/1342, Jahangir Puri, Delhi
117.	Banwari Lal	Ram Lakha	D-439, Jahangir Puri, Delhi
118.	Ganga Ram	Ram Prasad	K-2/58, Jahangir Puri, Delhi
119.	Makhan Lal	Giyan Chand	K-1903, Jahangir Puri, Delhi
120.	Tursem Lal	Sardari Lal	K-2021, Jahangir Puri, Delhi
121.	Munshi Ram	Nanak	F-101, Jahangir Puri, Delhi
122.	Govind	Dhir Singh	Jhuggi D-12, Lal Bagh, GTK Road, Delhi
123.	Rajender	Shyam Lal	D-87, Lal Bagh, GTK Road, Delhi
124.	Mahinder	Mahesh	B-94, Ashoka Factory, GTK Road, Delhi
125.	Shri Krishan	Bankey Lal	C-14, Jhuggi, Lal Bagh, Delhi
126.	Arjun	Dhir Bahadur	D-12, Lal Bagh, GTK Ind. Area, Azad Pur, Delhi
127.	Dharm Pal	Sewal Dass	E-433, MCD Cly., Azad Pur, Delhi
128.	Unknown	—	GTK Road
129.	Jagat Pal	Jagdeshwar Singh	Shop No-14/46, Model Town, Delhi
130.	Kishori Nath	Kapoor Chand	C-227, Lal Bagh, Delhi
131.	Darshan Sehgal	Shiv Nath Rai	E-3/10, Model Town, Delhi
132.	Chaddi Lal	Dhujai	Jhuggi No-569, Lal Bagh, Delhi

133.	Mala	Bal Kishan	25-A/230, Jhuggi Lal Bagh, Delhi
134.	Ram Bharose	Mohan Lal	C-359, Lal Bagh, Delhi
135.	Ramesh Chand	Lal Ram	120, Gali No-1, Lal Bagh, Delhi
136.	Lakhminder Pal	Bhishan Singh	Jhuggi Shahbad Dairy, Delhi
137.	Kishan Singh	Attar Singh	Vill., Khera Kalan, PS Samai Pur Badli, Delhi
138.	Narain Singh	Ram Charan	Jhuggi 18 E, F Block, Janta Cly., Shahdara, Delhi
139.	Sher Bahadur	Rakhai	Jhuggi 179, Suraj Park, Samai Pur Badli, Delhi
140.	Jag Mal Singh	Ram Datt Ram	Jhuggi No-66, Opp. Ayurvedic Hosp. Haider Pur, Delhi
141.	Balu Ram	Nihal Chand	H. No. 41, Gali No. 8, Haider Pur, Ambedkar Nagar, Delhi
142.	Vijay	Kundan Lal	H. No. 41, Gali No. 8, Haider Pur, Ambedkar Nagar, Delhi
143.	Santosh	Bhundshwar	H. No. 122, Gali No. 5, Haider Pur, Ambedkar Nagar, Delhi
144.	Nasti Khan	Babu Khan	Gali No. 1, Ambedkar Nagar, Haider Pur, Delhi
145.	Jai Ram	Chotu Ram	61-B, Sanjay Camp, Haider Pur, Delhi
146.	Gopi Mahta	Alok Mahta	Jhuggi A Block, Kela Godown, Shalimar Bagh, Delhi
147.	Sagar Paswan	Budh Paswan	Jhuggi 143, Haider Pur, Delhi
148.	Rampal	Dukhi	FIU Pitam Pura
149.	Madan	Guryal	DESU Colony, Gali No. 1, Shalimar Bagh, Delhi
150.	Ishwar Dass	Tota Ram	Vill. Sahipur, Delhi
151.	Ganesh Mehta	Budhu Mehta	Jhuggi AA Block, Kela Godown, Shalimar Bagh, Delhi
152.	Shuder Mahta	Doban Mehta	Jhuggi No. 33, AA Block, Kela Godown, Shalimar Bagh, Delhi
153.	Jammaluddin	Rashid Khan	Rakha Khuar PS Kampir Ganj, DT Gorakh Pur, M.P.
154.	Rajender Singh	Makhan Singh	WZ-163, Jhuggi Toda Pur, Delhi
155.	Sheela	Raja Ram	A-190, Baba Farid Puri, Anand Parbat

156.	Niranjan Singh	Sham Lal	J-82, Gali No. 4, Punjabi Basti, Anand Parbat
157.	Suresh	Maya Ram	58/41, 11-A, Gali No. 19, Rai Basti, Anand Parbat, Delhi
158.	Krishan Dev	Dhukhi Rai	R/11-C, Anand Parbat, New Rohtak Road, Delhi
159.	Ram Surat	Ram Samaj	25/6, Gali No. 8, Ind. Area, Anand Parbat, Delhi
160.	Rajinder Kumar	Mathura Dass	660/14, Gali No. 1, Punjabi Basti, Anand Parbat, Delhi
161.	Bablu	Ujjagar Lal	H. No. 46B, Baba Farid Puri, Anand Parbat, Delhi
162.	Narain Sharma	Ramji Lal Sharma	46/46-A, Gali No-15, Nai Basti, Anand Parbat, Delhi
163.	Hira Lal	Powche Ram	656-B, Gali No. 3, Punjabi Basti, Anand Parbat, Delhi
164.	Madan	Chur Rao	H. No. 93, Gali No. 11, New Rohtak Road, Delhi
165.	Jagdish	Chiranji Lal	51/47, Nai Basti, Gali No. 4, Anand Parbat, Delhi
166.	Om Prakash	Haweli Ram	32/15 Ashok Nagar, Delhi
167.	Ashok Kumar	Om Prakash	32/15, Ashok Nagar, Delhi
168.	Ram Das	Ramji Lal	WZ-175, Tihar Village, Delhi
169.	Kishan Lal	Parmanand	B-46, Vishwas Park, Uttam Nagar, N. Delhi
170.	Inder Singh Chauhan	Rawat Singh	WZ-12 B, Block Gulab Bagh, Uttam Nagar, New Delhi
171.	Surendra Kumar	Siya Ram	E-76, Sector-C, Bhagwati Vihar, Uttam Nagar, Delhi
172.	Mohd. Sabrati	Mohd. Hakim	WZ-8524, Basai Dara Pur, Delhi
173.	Ram Kishor	Kale	T-62, Baljeet Nagar, Delhi
174.	Rajbir Singh	Nathu Lal	T-510, F-15C-1, Baljeet Nagar, Delhi
175.	Joginder Singh	Unknown	T-564, Baljeet Nagar, Delhi
176.	Lalit Chand	Hira Balam	TWT 13-A/2, Baljeet Nagar, Delhi
177.	Ram Sarup	Baleshwar	T-553, Baljeet Nagar, Gali No. 22A, West Baljeet Nagar, Delhi

178.	Lachman Dass	Devi Prasad	J-2051, Baljeet Ngr., Delhi
179.	Satish Kumar	Roshan Lal	T-486/A, Baljeet Nagar, Delhi
180.	Baldev Raj	Hem Ram	T-336, 3-B Baljeet Nagar, Delhi
181.	Vishwa Nath	Dulihan	T-489, Baljeet Nagar, Delhi
182.	Nanku	Border	BT-4, Baljeet Nagar, Delhi
183.	Balvinder Singh	Kartar Singh	2178/1, Guru Arjun Nagar, Delhi
184.	Unknown	Unknown	T-320A, Balmiki Cly., Delhi
185.	Ashok Kumar	Chunni Lal	T-562, A-1, Baljeet Ngr., Delhi
186.	Khushali Ram	Bhagwan Dass	4/296, Subhash Nagar, Delhi
187.	Harbans Lal	Hari Chand	17/113, Subhash Nagar, Delhi
188.	Abdul Hamid	Abdul Majid	572, Vill. Kacha Tihar, Delhi
189.	Subhash Chand	Bansi Lal	E-490, Chaukhandi, Delhi
190.	Nand Lal	Gobind Ram	B-476, Chaukhandi, Delhi
191.	Kulwant Singh	Mohinder Singh	A-797, JJ Cly. Chaukhandi, Delhi
192.	Darshan Lal	Gopal Dass	K-3, Mukhram Garden, Delhi
193.	Rakesh Kumar	Bansi Lal	B-153, JJ Cly. Chauknandi, Delhi
194.	Shyam	Raghu Singh	A-657, JJ Cly. Chaukhandi, Delhi
195.	Bhagwan Dass	Raman Lal	A-98, JJ Cly. Chaukhandi, Delhi
196.	Sunil	Ram Parkash	A-760, JJ Cly. Chaukhandi, Delhi
197.	Kishan Lal	Devi Dittamal	A-761, JJ Cly. Chaukhandi, Delhi
198.	Rajendra	Sardari Lal	A-553, JJ Cly. Chaukhandi, Delhi
199.	Tarlok Chand	Ram Chander	A-285, JJ Cly. Chaukhandi, Delhi
200.	Subhash	Ishwar Dass	WZ-108, Sant Nagar, Delhi
201.	Rajinder Kumar	Phool Chand	WZ-34 Phase III, Om Vihar, Uttam Nagar, Delhi.

LIST RECEIVED FROM CRIME BRANCH, DELHI POLICE

Details of Blind Persons

Sl. No.	Name	Father's Name	Address
1.	Chhotu	Algu	Jhuggi Near Azadpur Mandi
2.	Shanker	Ram Chadha	Jhuggi Near Azadpur Mandi
3.	Lakhi Ram	Shiv Pal	H. No. 164, Gali Mandirwali
4.	Ram Mehar	Moode	H. No. 100, Vill. Bhodola, Delhi
5.	Chander Shekhar	Hital Ram	H. No. 25, Gali Syedwali, Azadpur, Delhi
6.	Jai Bhagwan	Rattan Lal	H. No. 485, Railway Road, Azadpur, Delhi
7.	Sultan Singh	Balak Ram	M.S. Mandi, Azadpur, Delhi
8.	Shyam Lal	Jagesh	233, Sadi Nagar, Azadpur, Delhi
9.	Hublal	Ram Pyare	D-1371, M.D. Mandi, Azadpur, Delhi
10.	Ram Avtar	Surja Singh	R/o 400, Gali Mandirwali, Azadpur, Delhi
11.	Satish	Karan Singh	467, Vill. Azadpur
12.	Nisadmuddin	Sarwar	Jhuggi 206, Azadpur
13.	Bhuwaneshwar Saha	Siddhm Saha	32, Punju Punjabi Gali Sarai Peepal Thala, Azadpur
14.	Bangali	Mangal	D-33, M.S. Mandi, Azadpur
15.	Radhey Shyam	Bhan Singh	Patri, M.S. Mandi, Azadpur
16.	Ramji Pd.	Diwakar Pd.	22, Vill. Bhodola, Delhi
17.	Ram Gopal	Bhog Ram	Jhuggi-K-Block, J. Puri
18.	Ramesh	Shiv Charan	K-141, J. Puri
19.	Paramjeet	Surender Singh	K-1560, J. Puri
20.	Dewan Singh	Prem Singh	B-1084, J. Puri
21.	Ashok Kumar	Sareshwar Pd.	Jhuggi-80, Near K-Block, J. Puri
22.	Raju	Hazari Dass	Bhalsava, Delhi

23.	Surender Singh	Hazoora Singh	A-4, M. Park, J. Puri
24.	Ved Ram	Mangal Sain	Gali No. 8, Haiderpur, Delhi
25.	Ashok Kumar	Raghunandan	674, Gali No. 8, Haiderpur
26.	Sahu Mehtu	Ram Gati Mehtu	Jhuggi 58/44-A, Block Kela Godown, Shah Bagh, Delhi
27.	Chander Shekhar	Aman Chand	Jhuggi Haiderpur, Delhi
28.	Surender	Mahesh	B-94, Ashok Plastic Factory, G. T. Road, Delhi
29.	Samsher Singh	Madhuvan	E-35, Rama Park, Siraspur
30.	Panch Dev	Bhikha	Jhuggi Lal Bagh, Delhi
31.	Bal Kishan Singh	Gangu Singh	E-14, Govt. Qrs. Dev Nagar, Delhi
32.	Hardeep Singh	Mohinder Singh	A-797, J. J. Colony Chaukhandi, Delhi
33.	Narender Kumar	Mohan Ram	16/1692, Arya Samaj Road, Bapa Nagar, Delhi

LIST RECEIVED FROM CRIME BRANCH, DELHI POLICE

Details of persons who suffered sicknesses such as--Vomiting, Giddiness, Nausea, Blurred Vision:

Sl. No.	Name	Father's Name	Address
1.	Ved Ram	Mangal Sain	Gali No. 8, Haiderpur, Delhi.
2.	Ram Garish	Panchu	311, Sanjay Camp, Haiderpur, Delhi
3.	Ashok Kumar	Raghunandan	674, Gali No. 8, Haiderpur, Delhi
4.	Chander Shekhar	Aman Chand	Jhuggi, Haidarpur, Delhi
5.	Sahu Mehto	Ramgati Mehto	Jhuggi No. 58/44, P-Block, Kela Godown, Shah Bagh
6.	Cheyri Ram	Darbar Singh	Jhuggi No. 14, Patharwala Bagh, J. J. Cly., Wazirpur
7.	Rajesh	Shiv Shanker	1435, Jhuggi Chander Shekhar
8.	Chattar	Algu	Vill. : Bhodola, Azadpur
9.	Shanker	Ram Sunder	Jhuggi Rly. Rd., Azadpur
10.	Narinder	Nathu Singh	B-22, Sarai Peepal Thala
11.	Lakhi Ram	Shiv Lal	164, Mandirwali Gali Azadpur, Delhi
12.	Satya Kumar	Um Rao	A-19, N.S. Mandi, Delhi
13.	Rambir	Moola	100, Vill. Bhodola, Azadpur
14.	Chander Shekhar	Hatin Ram	4593, Azadpur, Delhi
15.	Kishan	Ghashi Ram	179, School Wali Gali, Azadpur, Delhi
16.	Jai Bhagwan	Rattan Lal	484, Rly. Rd., Azadpur
17.	Sultan Singh	Balak Ram	M.S. Azadpur, Delhi
18.	Shyam Lal	Jingesh	223, Azadpur, Delhi
19.	Subhash	Desraj	A-73, Azadpur, Delhi
20.	Hub Lal	Ramphal	D-1371, M.S. Mandi, Azadpur
21.	Ram Avtar	Surja Singh	400, Gali Mandir Wali, Azadpur, Delhi
22.	Theban Singh	Devi Singh	489, Gudi Ngr., Azadpur
23.	Surya	Hari	153, Vill. Bhodola, Delhi
24.	Srinath	Anand	Jhuggi No. 13, Bhodola
25.	Satish	Kale Singh	467-F, Rly. Line, Azadpur
26.	Nizamuddin	Shakwat	206, Azadpur, Delhi
27.	Bengali	Mangal	D-33, Azadpur, Delhi
28.	Bhuneshwar Saha	Sidhu Saha	32, Peepal Thala, Delhi
29.	Radhey Sham	Dhan Shah	Vill. Sakha Raipur, MP
30.	Hari Prashad	Birbal	153, Vill. Bhodola, Delhi
31.	Suraj Singh	Oochman Dass	146, Azadpur, Delhi
32.	Mandiska	Kaltar	Sarai Peepal Thala, Azadpur, Delhi

33.	Ramjas	Nimbhal	Jhuggi near Azadpur Rly. Station
34.	Barsati	Phool Chand	Sarai Peepal Thala, Azadpur, Delhi
35.	Ramji Pd.	Deena Pd. Gupta	22, Azadpur Delhi
36.	Shyam	Rispal	Jhuggi Mool Chand Cly. Adarsh Nagar
37.	Surinder	Mahesh	B-94, Ashok Plastic Factory
38.	Chander Shekhar	Tulka Bahadur	Jhuggi Bada Bagh, Delhi
39.	Panch Dev	Bhikkar	Jhuggi Lal Bagh, Delhi
40.	Cheddi Lal	Nar Hari	Jhuggi Derawal Ngr., Delhi
41.	Baiz Nath	Mirsen Paswan	Jhuggi No. 48, Near Rly. Stn. Azadpur, Delhi
42.	Tulsi Ram	Babu Ram	Gali No. 13, S. P. Badli
43.	Shamsher Singh	Madhuwan Singh	E-35, Rana Park, Siraspur
44.	Love Singh	Hari Dev Singh	A-800, Bhalsawa J. Puri
45.	Ram Sewak	Vijay	Jhuggi, J. Puri
46.	Babu Lal	Ved Ram	Jhuggi, 394, J. Puri
47.	Jagdish	Hari Rattan	Jhuggi K/2/41-42, J. Puri
48.	Suraj Bali	Suraj Pal	Jhuggi 154-G. J. Puri
49.	Unknown	—	—
50.	Murari Lal	Babu Lal	G-1579, J. Puri
51.	Kulwant Singh	Thakur Singh	K-1572, J. Puri
52.	Ram Gopal	Bhog Ram	Juggi K-Blk., J. Puri
53.	Nirmal	Hem Chand	Jhuggi K-Blk., J. Puri
54.	Tej Ram	Man Singh	Jhuggi Lakhi Park, J. Puri
55.	Raja Ram	Sohan Singh	Jhuggi K-Blk., J. Puri
56.	Hari Dass	Parvat	Hans Raj Co. DDA J. Puri
57.	Kailash	Jamun	Jhuggi 1906, J. Puri
58.	Bhagwati Pd.	Dwarka Pd.	B-1242, J. Puri
59.	Ramesh	Shiv Charan	Jhuggi K-141, J. Puri
60.	Parmjeet	Surinder Singh	K-1560, J. Puri
61.	Sat Narain	Raj Kr.	Jhuggi-524, K-Blk., J. Puri
62.	Dewan Singh	Prem Singh	B-1084, J. Puri
63.	Ashok Kr.	Sareshwar Pd.	Jhuggi 80, K-Blk., J. Puri
64.	Dharam Pal	Bhagwan Singh	H-1295, J. Puri
65.	Ram Lakhan	Heera Man Singh	373, H-I Blk., J. Puri
66.	Unknown	—	—
67.	Sher Singh	Paran Singh	E-1198, J. Puri
68.	Raju	Hazari Das	Vill. Bhalsawa, J. Puri
69.	Surinder Singh	Hazoora Singh	A-4, Mahendra Park
70.	Har Nath	Lok Ram	K-145, J. Puri

71.	Mauji Ram	Geta Ram	H-572, J. Puri
72.	Ashok Kr.	Hukam Chand	9/1, Amrit Kr. Puri, Tank Road, Delhi
73.	Kalu Ram	Nawal Kishore	-do-
74.	Mohan Lal	Ram Chander	6169, Gali No. 4, Blk. No. 1, Dev Nagar
75.	Gyan Chand	Mangal Ram	6255, Gali No. 1, Blk. No. 6, Dev Nagar
76.	Shyam Sunder	Jiwan Dass	16/620, Bapa Nagar
77.	Man Singh	Nanak Chand	16/1391, Bapa Nagar
78.	Ashok Kumar	—	—
79.	Narinder Kumar	Mohan Ram	16/1692, AS Rd., Bapa Ngr.
80.	Dharam Pal	Shambhu Dayal	16/414, Pyarelal Rd., Bapa Nagar, Delhi
81.	Durga Pd.	Dal Chand	16/1362E, AS Rd., Bapa Nagar
82.	Pyarelal	Duli Chand	16/1474, Arya Samaj Rd., Bapa Nagar, Delhi
83.	Raj Kr.	Daya Nand	Gali No. 5, Karol Bagh
84.	Tara Chand	—	10784-B Blk. A-5, Balmiki Cly. Karol Bagh
85.	Bhagwan Das	—	10881, Blk. A-5, Balmiki Cly. Karol Bagh
86.	Kamal	Ram Chander	1795, Gali No. 5, Balmiki Cly.
87.	Rohtas	Shambhu Dayal	10780, Gali No. 8, Balmiki Cly.
88.	Unknown	—	—
89.	Banwari Lal	Phool Singh	B-5, Laxman Park, Krishna Nagar, Delhi
90.	Balbir Singh	Gyan Singh	E-14, Govt. Qr. Dev Nagar
91.	Pyarelal	Khajan Singh	670, Nehru Kutiya, S. Mandi, Delhi
92.	Noor Hasan	Salim	WZ-23, Ram Ngr., Chaukhandi
93.	Kali Charan	Ram Rattan	WZ-203, Sant Nagar
94.	Ram Saroop	Bekam	A-682, J.J. Cly., Chaukhandi
95.	Suresh	Bansi Lal	B-153, J.J. Cly., Chaukhandi
96.	Dharam Pal	Bihari Lal	A-352, J. J. Cly., Chaukhandi
97.	Khushal Chand	Devi Dutt	A-761, J. J. Cly., Chaukhandi
98.	Panna Lal	Model Chand	2-B, Vill. Chaukhandi
99.	Sunder Lal	Nathi Lal	2-B, Vill. Chaukhandi
100.	Kuldip Chand	Dewan Chand	B-180, Vill. Chaukhandi
101.	Shyam Sunder	Babu Lal	A-353, J. J. Cly., Chaukhandi
102.	Niranjan Singh	Shiv Lal	A-630, J. J. Cly., Chaukhandi

103.	Satbir Singh	Sangat Singh	WZ-44, Chand Nagar
104.	Badshah	Chhota Ram	A-289, J. J. Cly., Chaukhandi
105.	Dev Bahadur	Sant Bahadur	J. J. Cly., Chaukhandi
106.	Joy Phillips	Julies Phillips	J. J. Cly., Chaukhandi
107.	Subhash	Kundan Lal	A-682, J. J. Cly., Chaukhandi
108.	Satish Robert	Julies Robert	A-573, J. J. Cly., Chaukhandi
109.	Mukesh	Jagat Ram	A-289, J. J. Cly., Chaukhandi
110.	Irshad Ahmed	Mustaq Ahmed	A-206, J. J. Cly., Chaukhandi
111.	Mohd. Sahid	Ibrahim	A-286, J. J. Cly., Chaukhandi
112.	Hardeep Singh	Mohinder Singh	A-797, J. J. Cly., Chaukhandi
113.	Jitender Singh	Jaspal Singh	A-547, J. J. Cly., Chaukhandi
114.	Hukam Chand	Mohan Singh	C-1705, Uttam Nagar
115.	Mohd. Islam	Ali Hussain	63, Phase-II, Om Vihar
116.	Puran Chand	Suraj Lal	345-A, Baba Farid Puri
117.	Subhash	Sher Singh	51/45, Gali No. 14, Nai Basti, Anand Parbat
118.	Sat Narain	Janmat Dass	91, Gali No. 13, Anand Parbat
119.	Tej Ram	Budh Ram	A-357, New Ranjit Nagar
120.	Surender Singh	Pyare Lal	T-572, Baljit Nagar, Delhi
121.	Vishnu	Khedi Ram	T-510 C/46, Baljit Nagar
122.	Mahesh Dass	Janki Dass	T-490, Gali No. 4, Baljit Nagar, Delhi
123.	Mohan Lal	Sohan Lal	A-408, JJ Cly., Pandav Ngr.
124.	Mam Raj	Lal Singh	D-315/36, Baljit Nagar
125.	Dwarka Pd.	Kanhaiya Lal	AT-52/2E, Baljit Nagar
126.	Nand Lal	Hari Ram	T-563, Gali No. 3, Baljit Nagar
127.	Arjun Singh	Dharam Singh	Gali No. 21, Baljit Nagar
128.	Gangoor Pd.	Shyam Lal	WZ-524/1, Basai Darapur
129.	Radhey Sham	Roop Chand	31/16, Ashok Nagar
130.	Parren	—	—
131.	Ram Tirath	Ram Mahesh	Jhuggi Zakhira Fly Over
132.	Ram Surat	Jhinnu	Jhuggi Zakhira, Delhi
133.	Ram Kali	Lale Pd.	A-190, Baba Farid Puri
134.	Radhey Lal	Behari Lal	349-C, Baba Farid Puri, Anand Parbat
135.	Rajesh	Mohender	197, Baba Farid Puri, Anand Parbat

136.	Nek Bahadur	Bir Bahadur	52/41, Gali No. 17, Nai Basti, Anand Parbat
137.	Babu Lal	Asha Ram	J-82, Gali No. 4, Punjabi Basti, Anand Parbat
138.	Ganga Ram	Hira Lal	Gali No. 8, Phool Patta, Anand Parbat
139.	Jagdish	Kesar	Jhuggi No. 89, Gali No. 11, Anand Parbat
140.	Chunni Lal	Nihal Chand	J-111, Gali No. 4, Punjabi Basti, Anand Parbat
141.	Rajesh Kumar	Ram Chander	48-A, Baba Farid Puri, Anand Parbat
142.	Chander Bhan	Shankar Lal	133, Baba Farid Puri, Anand Parbat, Delhi

SCHEDULE 7-C

List received from Nashamukti Foundation and Delhi Nashabandi Samiti showing the names of persons who died or suffered sicknesses on or after 6-11-1991 during the tragedy.

S. No.	Name	Father's Name	Address
1.	Kishan Lal	Jethanand	A-483, Jahangirpuri
2.	Lakshman Das	Mona Ram	A-516, Jahangirpuri
3.	Madan Lal	Bishan Das	B-1623, Jahangirpuri
4.	Jas Ram Kumar	—	B-465, Jahangirpuri
5.	Raj Kumar	Babu Lal	B-1544-45, Jahangirpuri
6.	Charan Singh	—	N-3, B-103, Jahangirpuri
7.	Megh Nath	Rattan Lal	B-304, Jahangirpuri
8.	Darshan Chand	—	N-36, B-51, Jahangirpuri
9.	Rajender	Subhash	B-2615, Jahangirpuri
10.	Ganga Ram	Singh Ram	B-36, Jahangirpuri
11.	Vilayati Ram	Mool Chand	B-1115, Jahangirpuri
12.	Rani	Bansi Lal	B-439, Jahangirpuri
13.	Ajit Singh	Samant Singh	C-1838, Jahangirpuri
14.	Niwasi Ram	Kashi Ram	C-1863, Jahangirpuri
15.	Daya Ram	Ram Sarup	C-1781, Jahangirpuri
16.	Chander Bhan	Ram Singh	C-1367, Jahangirpuri
17.	Kali Charan	Puran Chand	C-1159, Jahangirpuri
18.	Babu Lal	Panna Lal	C-1064, Jahangirpuri
19.	Ram Bir	Harbans Lal	C-825, Jahangirpuri
20.	Naseem Ahmed	Rahmat Ullah	C-614, Jahangirpuri
21.	Bhure Khan	Hamid Khan	C-74, Jahangirpuri
22.	Charan Das	Tota Ram	C-86, DDA Flats, Jahangirpuri
23.	Chajju Ram	Shiv Lal	C-1417, Jahangirpuri
24.	Taromi Das	—	C-319, Jahangirpuri
25.	Mangal	Roop Chand	C-1835, Jahangirpuri
26.	Ved Prakash	Chunni Lal	C-86, DDA Flats, Jahangirpuri
27.	Raj Singh	Kedar Singh	C-218, Jahangirpuri
28.	Har Prasad	Nathu Lal	C-116-B, Jahangirpuri
29.	Rajinder Sharma	Jitender Sharma	CD-101/3, Jahangirpuri
30.	Shiv Prasad	Hamandi Ram	CD Park, D-1790, Jahangirpuri
31.	Ram Chandran	Kamnakaran	Jhuggi 42, Jahangirpuri
32.	Sewa Ram	Jagan Nath	CD-296, Jahangirpuri
33.	Ramu Sahah	Jullan Sahah	CD-318, Jahangirpuri

34.	Satbir Ahmed	Manglu Mistry	120, Jhuggi, Jahangirpuri
35.	Bansi Lal	Ram Rakha	D-439, Jahangirpuri
36.	Munsi Ram	Nanak Ram	E-101, Jahangirpuri
37.	Abdul Hafiz	Abdul Khalid	E-328, Jahangirpuri
38.	Hari Prasad	Nathu Lal	E-1168, Jahangirpuri
39.	Puran Mal	Jadu Ram	E-2947, Jahangirpuri
40.	Kishori Lal	Bhup Ram	E-248, Jahangirpuri
41.	Raj Singh	—	E-218, Jahangirpuri
42.	Megh Nath	Rattan Lal	E-218, Jahangirpuri
43.	Munshi Ram	Nanak	F-101, Jahangirpuri
44.	Murari Lal	Some Singh	G-Block, Jahangirpuri
45.	Kala	Bhattu	G-Block, Jahangirpuri
46.	Laxmi Chand	—	G-Block, Jahangirpuri
47.	Virish Pratap	—	G-Block, Jahangirpuri
48.	Tirath Pal	Dori Lal	331, Jahangirpuri
49.	Madan Lal	Pita Ram	791, Jhuggi, Jahangirpuri
50.	Om Prakash	Khyali Ram	427, Jhuggi, Jahangirpuri
51.	Promod Kumar	Ram Lal	1812, Jhuggi, Jahangirpuri
52.	Madan Lal	Bhisan Das	772, Jhuggi, Jahangirpuri
53.	Madan Lal	Lala Ram	1575, Jhuggi Jahangirpuri
54.	Shukh Chain	Ram Das	1152, Jhuggi, Jahangirpuri
55.	Rajesh	Jivta	H-Block Jhuggi, Jahangirpuri
56.	Tulsi Ram	Okhal Ram	43/1342, Jahangirpuri
57.	Raju	Rajaman	H2/1706, Jahangirpuri
58.	Sohan Lal	Har Prasad	1645, Jhuggi, Jahangirpuri
59.	Niranjan Singh	Phool Singh	1385, Jhuggi, Jahangirpuri
60.	Nahme	—	H-Block, Jhuggi, Jahangirpuri
61.	Teja Ram	Mana Ram	365, Jhuggi, Jahangirpuri
62.	Jetha Singh	Jai Ram	333, Jhuggi, Jahangirpuri
63.	Madan Lal	—	H-G-162, Jhuggi, Jahangirpuri
64.	Jiva Ram	Anshu Ram	787, Jhuggi, Jahangirpuri
65.	Nasim	Abdul	M4/253, Jhuggi, Jahangirpuri
66.	Dharam Dev	Dev Prasad	30/406, Jahangirpuri
67.	Sohan Lal	Shiv Mangal	H-Block, Jhuggi Jahangirpuri
68.	Krishan Devi	Banne	1084, Jahangirpuri
69.	Govind	Nain Ram	1084, Jahangirpuri
70.	Shiv Lal	Vijay Singh	1258, Jahangirpuri
71.	Ram Charan	—	1838, Jahangirpuri
72.	Om Prakash	Surya Dev Pandey	1985, Jahangirpuri
73.	Salim	Manglu Mistri	120, Jahangirpuri

74.	Panni Lal	—	1846, Lakhi Park, Jahangirpuri
75.	Phoola Devi	—	162, Jahangirpuri
76.	Panna Lal	—	1597, Jahangirpuri
77.	Ram Karan	—	1743, Jahangirpuri
78.	Roshan Khan	Muttu Khan	1974, Jahangirpuri
79.	Azar Singh	Munshi Ram	1770, Jahangirpuri
80.	Satish	Kanhiya Lal	K-1544, Jahangirpuri
81.	Ramesh	Hari Ram	K-1696-97, Jahangirpuri
82.	Tejvir Singh	Rambir Singh	K-1627, Jahangirpuri
83.	Rajkumar	—	K-1627, Jahangirpuri
84.	Makhan Lal	Gyan Chand	K-1930, Jahangirpuri
85.	Hari Sewak	Shiv Dayal	K-1963, Jahangirpuri
86.	Darshan Lal	Janam Prasad	K-901, Jahangirpuri
87.	Charan Singh	Nathu Ram	K-104, Jahangirpuri
88.	Sakti Kapur	Ishwar Das	K-1323-24, Jhuggi, Jahangirpuri
89.	Narender Kumar	Mohan Lal	K-123, Jahangirpuri
90.	Ganga Ram	Ram Prasad	K-2158, Jahangirpuri
91.	Kulwant	Hardyal	K-1572, Jahangirpuri
92.	Tirlochan Singh	Sardar Singh	K-1021, Jahangirpuri
93.	Tarsem Lal	Sardari Lal	K-1021, Jahangirpuri
94.	Mange Ram	Phool Ram	K-Block, Jahangirpuri
95.	Prem Singh	Fakir Chand	K-718, Jahangirpuri
96.	Buttan	—	K-Block, Jahangirpuri
97.	Jagdish	Mahavir	K-1074, Jahangirpuri
98.	Gurbaksh Singh	—	K-1074, Jahangirpuri
99.	Kewal Krishan	Sunder Dass	K-929, Jahangirpuri
100.	Dalvir	Sewak Ram	K-1926, Jahangirpuri
101.	Naser	Samo	K-641, Jahangirpuri
102.	Gurbaksh Singh	Uttam Chand	K-1079, Jahangirpuri
103.	Jhagru	Harikishan	MIG Flats, K-Block, Jahangirpuri
104.	Jhoghu	Ved Ram	Labour Camp, Jahangirpuri
105.	Ram Kumar	Ram Avtar	128, Jhuggi, Jahangirpuri
106.	Ram Sharbat	Mukhi Ram	K-618, Jahangirpuri
107.	Shoukat Ali	Abdul Rehman	K-896-97, Jahangirpuri
108.	Har Parsad	Prabhu Dayal	K-103, Jahangirpuri
109.	Prem Singh	S. Thomas	K-717, Jahangirpuri
110.	Har Narain	Khem Chand	Jhuggi, Jahangirpuri
111.	Raj Kumar	Chottey Lal	110, Bhulasva, Jahangirpuri
112.	Naresh	Prem Singh	Bhulasva, Jahangirpuri
113.	Shri Kishan	Narsingh	Jhuggi-58, Jahangirpuri

114.	Gagesh Pd.	—	Bhulasva, Jahangirpuri
115.	Bharat Singh	—	Bhulasva, Jahangirpuri
116.	Tarsem Lal	—	Bhulasva, Jahangirpuri
117.	Chottu	—	Bhulasva, Jahangirpuri
118.	Tupti Ram	—	Bhulasva, Jahangirpuri
119.	Buran	—	Bhulasva, Jahangirpuri
120.	Babloo	Ram Dev	Bhulasva, Jahangirpuri
121.	Lakshman	Sant Ram	114, Bhulasva, Jahangirpur
122.	Shri Kishan	Bhagwan Das	114, Bhulasva, Jahangirpuri
123.	Jagdish	Shiv Nath	Bhulasva, Jahangirpuri
124.	Ram Asrey	Mukh Ram	Bhulasva, Jahangirpuri
125.	Naresh Manja	Tikka Lal Manga	101, Bhulasva, Jahangirpuri
126.	Ram Kumar	Manan Bahadur	101, Bhulasva, Jahangirpuri
127.	Ram Hit	Bhikari Ram	A-24, Jahangirpuri
128.	Gurbachan Singh	Lala Ram	166, Jahangirpuri
129.	Ballu Ram	Mawasi Ram	144, Jahangirpuri
130.	Ram Gopai	Durjan Singh	M-26/271, Jahangirpuri
131.	Sohan Lal	Lila Ram	458, Jahangirpuri
132.	Kamal Mitra	Birender K. Mitra	458, Jahangirpuri
133.	Faquir Chand	Tulsi Dass	190, Jahangirpuri
134.	Krishan Lal	Bhagwan Dass	Azad Chowk, Jahangirpuri
135.	Durjan Singh	Mani Ram	B-1/468, Jahangirpuri
136.	Rajinder	Mukand Ram	Jhuggi-106, Jahangirpuri
137.	Harkash	Mawasi Ram	44, Bhulasva, Jahangirpuri
138.	Jai Prakash	Deep Chand	465/B3, Azadpur
139.	Hari Ram	Garib Ram	130, Jahangirpuri
140.	Unidentified	—	—
141.	Unidentified	—	—
142.	Unidentified	Found dead at	A-1, Indira Nagar, Azadpur
143.	Deep Chand	—	A-Block Park, Azadpur
144.	Mahinder	Mahesh	B-94, Azadpur
145.	Raj Devi	Ram Jas	Jhuggi Near Rly. Station, Azadpur
146.	Deep Chand	Shanak Ram Chand	C-696, Azadpur Mandi
147.	Unclaimed	—	Azadpur Railway Station
148.	Ram Sarup	Adhik Lal	Flat at Railway Phatak
149.	Adhik Lal	Mamun Mahto	Jhuggi AA-43, Kela Godown, Jhuggi Near Phatak
150.	Nashrat	Sunar	-do-
151.	Ganesh Mahto	Budhu Mahto	Block AA, Kela Godown, Azadpur
152.	Sahdev Mahto	Doman	Jhuggi, 33-AA, Kela Godown

153.	Gopi Mahto	Bhola Mahto	Block AA, Kela Godown
154.	Madan Lal	Gurdyal	H No. 1659, D.E.S.U. Colony, Gali No. 1
155.	Jabluddin	Rashid Khan	Jhuggi 51, AE-Block, Shalimar Bagh
156.	Dhanne	Dal Chand	H. No. 58, Shalimar Bagh
157.	Lakshman	Ganesh Chowdhary	H. No. 56, Shalimar Bagh
158.	Babu Lal Dhobi	Mangal	H. No. 32, Shalimar Bagh
159.	Desai Chowdhary	Chandra Bali	H. No. 37-B, Shalimar Bagh
160.	Mahavir Mahto	Amrit Mahto	Jhuggi-37, Shalimar Bagh
161.	Deep Chand	Raja Ram	Jhuggi B-257, Azadpur
162.	Tilak Raj	Amrawati	B-271, Adarsh Nagar
163.	Nanku Ram	Pyara Singh	90, Ravi Das Colony
164.	Unknown	—	Rain Basaira
165.	Unknown	—	Rain Basaira
166.	Shanti	Shankar Ram	84, Ravi Dass Colony
167.	Upender	Bhola	94, Harijan Basti
168.	Ram Raj	Puran Masi	A-65, Adarsh Nagar
169.	Mahavir	Ajit Mahto	A-128, Adarsh Nagar
170.	Smt. Dhanwant	Garbu	Jhuggi-181, Adarsh Nagar
171.	Raj Kumar	Kesar Das	D-68 A, Hakikat Rai Road
172.	Harminder Singh	Uttam Singh	B-39, Rajen Babu Road
173.	Ganga Ram	Shri Ram	—
174.	Bir Pal	Jai Karan	34, Suraj Nagar
175.	Ganga Ram	Chandgi Ram	C-120, Gali No. 1, Rameshwar Nagar
176.	Gurcharan Singh	Buta Singh	32, Gopal Nagar
177.	Makhan Singh	—	—
178.	Ishwar Dass	Tota Ram	50-51, Sahi Pur Village
179.	Amrik Singh	Pyara Singh	F-13, Mahendra Park
180.	Hari Singh	Dalip Singh	L-33, Mahendra Park
181.	Arjun	Dhir Bahadur	D-12, Near Vijay Cinema
182.	Shri Kishan	Banke Lal	C-14, Lal Bag Jhuggi
183.	Raju	Shyam Lal	D-87, Lal Bagh Jhuggi
184.	Chedi Lal	Durjan	559, Lal Bagh Jhuggi
185.	Govind Singh	Dhir Singh	D-12, Lal Bagh Jhuggi

186.	Lala Ram	Bhora Lal	118, Lal Bagh Jhuggi
187.	Kishori Lal	Kapur Chand	C-227, Lal Bagh Jhuggi
188.	Ram Bharosey	Mohan Lal	C-369, Lal Bagh
189.	Ramesh Chander	Lala Ram	120, Lal Bagh
190.	Mala	Bal Kishan	25A/230, Lal Bagh
191.	Ganga Ram	Bhola Ram	Harijan Basti, Kamal Pur
192.	Halim	Salim	Barva Colony, Village Burari
193.	Kripa Shankar	Kashi Nath	Kaushik Enclave, Village Burari
194.	Banwari Lal	Pyare Lal	112A-B, Bapa Cly., Sant Nagar
195.	Rati Ram	Babu Ram	G. No. 10/718, Hyderpur
196.	Radhey Shyam	Rati Ram	-do-
197.	Dhan Shyam	Naraini	G. No. 6/125, Hyderpur
198.	Nasir Khan	Babun Khan	G. No. 1, Hyderpur
199.	Bale Ram	Nihal Chand	G. No. 8/41, Hyderpur
200.	Vijay Singh	Kundan Lal	-do-
201.	Jag Prakash	Shiv Narain	G. No. 6, Hyderpur
202.	Hukam Chand	Ram Phal	G. No. 6/297, Hyderpur
203.	Jag Lal	Ram Dutte	J. No. 66, Hyderpur
204.	Santosh Kumar	Bhuneshwar	5/122, Nehru Camp, Hyderpur
205.	Jai Ram	Chotte Ram	J. No. B-61, Sanjay Camp
206.	Sagar Paswan	Budhi Paswan	J. No. 143, Sanjay Camp
207.	Iqbal (Ganga Ram)	—	Tenant of Temple of Arjun, Hyderpur
208.	Nazir Wazir	Wazir	J-III/34, Wazirpur J.J. Cly.
209.	Islam	Asaf Ail	J. No. 100, Patharwala Bagh
210.	Rajinder	Subender	B-26/2, Wazirpur Ind. Area
211.	Shyam	Bhanu Prashad	B-72/2, Jhuggi Wazirpur
212.	Lakhminder	Ram Singh	140-D, Jhuggi Shahbad Dairy
213.	Narain	—	Near 140-D, Shahbad Dairy
214.	Sher Bahadur	Rekhai	179, S.P. Badli
215.	Kishan Singh	Attar Singh	Village Khera Kalan
216.	Seela Karamwati	Rajan Ram	190, Anand Parbat
217.	Paramjit Singh	Lal Singh	A-47,Faridpuri
218.	Niranjan Singh	Shyam Lal	J-84/4, Faridpuri

219.	Suresh	Maya Ram	52/41-A/17, Faridpuri
220.	Krishan Dev	Dhanki Ram	11-C/11, Ind. Area, Anand Parbat
221.	Ram Surat	Ram Samaj	25/6 Gali 8 Ind. Area Anand Parbat
222.	Rajinder Kumar	Mathura Dass	660/14 Gali No. 1, Punjabi Bagh
223.	Narain Singh	Ramji Lal	46/46, Nai Basti
224.	Papu	Bhai Das	349, Baba Faridpuri, Delhi
225.	Jagdish	Chiranji Lal	51/47, Gali No. 14, F. Puri
226.	Hira Lal	P Ram	6568, Gali No. 3, P. Bagh
227.	Shankar	Bega Ram	A–132, Faridpuri
228.	Ram Kali	Ujagar Lal	B-46, Faridpuri
229.	Ram Kishore	Kalla	T-662, Baljit Nagar, Delhi
230.	Ranbir Singh	Nathu Lal	T-510, F-15-CI, Baljit Nagar
231.	Joginder Singh	—	G-564, Baljit Nagar
232.	Babloo	Ujagar Lal	T-WZ 13/A-12, Baljit Nagar
233.	Lalit Chand	Hari Balan	T-WZ 13/A12, Baljeet Nagar
234.	Ram Swaroop	Bal Swaroop	T-553, Flat No. 22A, Baljeet Ngr.
235.	Laxman Dass	Devi Prasad	J-2051, Baljeet Ngr.
236.	Satish Kumar	Roshan Lal	T-486, Baljeet Ngr.
237.	Baldev Raj	Hem Raj	T-336/3B, Baljeet Ngr.
238.	Sh. Vishwanathan	Dali Ram	T-489, Baljeet Ngr.
239.	Nanku	Bardu	B-T-4, Baljeet Ngr.
240.	Unkown	—	—
241.	Ashok Kr.	Chunni Lal	T-562, A Baljeet Ngr.
242.	Sh. Badu	—	T-320, Baljeet Ngr.
243.	Ashok Kr.	—	T-562, Baljeet Ngr.
244.	Lalicha	—	—
245.	Md. Subrati	Md. Hamim	WZ-524, Basai Darapur
246.	Kulwant Singh	Mohinder Singh	A-797, JJ Cly., Chaukhandi
247.	Darshan Lal	Gopal Chand	K-3, Mukhram Garden
248.	Sunil	Ram Prakash	A-760, JJ Cly., Chaukhandi
249.	Krishan Lal	Devi Dutta Mal	A-761, JJ Cly., Chaukhandi
250.	Rakesh Kr.	Bansi Lal	B-153, JJ Cly., Chaukhandi
251.	Nand Lal	Govind Ram	B-476, JJ Cly., Chaukhandi

252.	Bhagwan Dass	Raman Lal	A-96, Vishnu Garden
253.	Shyam	Raghuvir Singh	A-667, JJ Cly., Chaukhandi
254.	Rajinder Singh	Sardari Lal	A-683, JJ Cly., Chaukhandi
255.	Trilok Chand	Ram Chander	A-349, Harijan Colony, Tilak Nagar
256.	Subash Chand	Bansi Lal	E-490, Khyala
257.	Ram Dass	Ramji Lal	WZ-175, Tihar Village
258.	Abdul Hamid	Abdul Mazid	572, Village Kacha Tihar
259.	Unidentified	—	Subzi Mandi Tilak Nagar
260.	Inder Singh	Rawat Singh	WZ-12 B, Block Gulab Bagh
261.	Om Prakash	Haveli Ram	32/15, Ashok Ngr.
262.	Ashok Kumar	Om Prakash	32/15, Ashok Ngr.
263.	Santosh Sarin	B. D. Sarin	EC-154, Tagore Garden
264.	Subash Pahuja	Ishwar Dass	WZ-108, Sant Ngr.
265.	Balvinder Singh	Kartar Singh	2178/I, Satyam Cinema, Guru Arjun Nagar
266.	Khushali Rai	Bhagwan Dass	4/296, Subash Ngr.
267.	Harbans Lal	Hari Chand	17/113, Subash Ngr.
268.	Dharam Pal	Sayal Dass	E-433, MCD Cly., Model Town
269.	Darshan Lal	Shiv Nath Rai	F-3/10, Model Town
270.	Rama Nand	Lal Bahadur	82/9, State Bank Cly., Gujranwala Town
271.	Narain	Ram Chander	Jhuggi No. 18, Janta Colony, Seelam Pur
272.	Neeza Nand	Kalu Ram	16/478 H, Bapa Ngr.
273.	Uday Ram	Mangla Ram	16/1343, Padam Singh, Bapa Ngr.
274.	Gian Chand	Prabhu Dyal	16/1363, Arya Samaj Road, Karol Bagh
275.	Vijay Kumar	Chaddi Lal	16/1595, Bapa Nagar
276.	Unknown	—	—
277.	Jai Ram	Raghu Mal	139/299, Rohini Sector 3
278.	Ram Phal	Dukhi Ram	F-14, Jhuggi Behind Flat 163, Pitam Pura
279.	Jwala Prashad	Bharat Singh	8140, Dina Nath Road

280.	Mahendra	Mahesh	B-94, Ashoka Plastic Factory, Near Telephone Exch., GT Karnal Road Industrial Area
281.	Unknown	—	GT Karnal Road
282.	Rajender Singh	Makhan Singh	Jhuggi No. 19/5, Todapur
283.	Kishan Lal	Parmanand	D-46, Vishwas Park, Uttam Ngr.
284.	Inder Singh Chauhan	Rewa Singh	WZ-12/8, Gulab Bagh, Uttam Ngr.
285.	Surinder Kr.	Siya Ram	V-76, Sector-C Bhagwati Vihar, Uttam Ngr.
286.	Rajender Kr.	Phool Singh	WZ-34, Phase-III Om Vihar, Uttam Ngr.
287.	Madan	Ghur Rao	H. No. 93, Gali 13, Distt. Sikar, Rajasthan
288.	Babu Lal	Mangal Bheta	Village Totholi, Distt. Samastipur
289.	Dwarka Ram	Nagai	Village Jaitopur, Distt. Azamgarh, UP
290.	Bhajan Yadav	Unknown	Distt. Azamgarh, UP
291.	Madan	Hem Raj	Arjun Nagar, Gurgaon, Haryana
292.	Vishwanath	Ram	Village Unknown, Distt. Ashram Bihar
293.	Sidh Bahadur	Akal Bahadur	Mahendra Nagar, P.S. Jatehi Wardhaz, Distt. Kanchan Pur, Nepal
294.	Ram Lal	Dukhi Ram	Village Amir Beri, Distt. Fatehpur, UP
295.	Ganesh Prashad	Laxman Prasad	Village State Chowk, PS Kothi Bazar, Distt. Maharet Ganj, Bihar
296.	Jagat Pal	Japeshwar Singh	Died at A14/69, Model Town, Distt. Rai Bareli, U.P.
297.	Rajender Muthi	Bhola Muthi	Naresh Pur, Distt. Bihar
298.	Tuli	—	—
299.	Unknown	—	—
300.	Sewa Ram	—	—
301.	Kishan	—	—
302.	Shyam	Bansi Prashad	—
303.	Unknown	—	—
304.	Govind	—	—
305.	Ranjit	—	—

306.	Naveen	—	—
307.	Shiv Lal	—	—
308.	Hira Lal	—	—
309.	Shivji	—	—
310.	Ishwar Dass	—	—
311.	Babu Lal	—	—
312.	Unknown	—	—
313.	Ram Nath	—	—
314.	Sher Singh	Manmohan Singh	E-1198, J. Puri
315.	Shiv Charan	Ram Sharan	A-1186, Shahbad Dairy
316.	Rajinder Mehto	Jahwn Mehto	AA-29, Kela Godown

SCHEDULE—7-D

List received from Shri Ashok Bakshi, ADM (Hqrs.), Delhi showing the names of persons who died or suffered sickness on or after 6-11-1991 during the tragedy.

Sl. No.	Name of Deceased	Neme of Beneficiary
1.	Jag Lal	Munaki Devi
2.	Bale Ram	Bimla Devi
3.	Santosh	Phool Devi
4.	Nasir Khan	Shehjah Begum
5.	Jai Ram	Ram Kali
6.	Gopi Mehto	Murcha Devi
7.	Sagar Paswan	Meera Paswan
8.	Ram Phal	Phool Mali
9.	Madan Lal	Asha
10.	Ishwar Dass	Padmawati
11.	Sahdev Mehto	Panna Devi
12.	Ganesh Mehto	Kulwanti Devi
13.	Jalaluddin	Sehrati
14.	Narain	Naraini Devi

15.	Sher Bahadur	Ninka
16.	Gurcharan Singh	Paramjit Kaur
17.	Gurbachan Singh	Kamla
18.	Balu Ram	Bhagwan Devi
19.	Raj Kumar	Sumitra
20.	Dwarika Ram	Parmoti
21.	Neemar	Ramjas
22.	Harminder Singh	Daljeet Kaur
23.	Deep Chand	Puran Chand
24.	Upender	Mahasundri
25.	Hem Raj	Tulsi Devi
26.	Durjan Singh	Mahashri
27.	Teja Ram	Jeevi Devi
28.	Faqir Chand	Savitri Devi
29.	Rajinder	Sarvopriya
30.	Harkesh	Bimlesh
31.	Jai Prakash	Sharbati
32.	Banwari	Shankar
33.	Sidh Bahadur	Nara
34.	Hari Ram	Balvinder
35.	Santosh Narain	H. S. Sarin
36.	Dhanna	Mir Singh
37.	Deep Chand	Prema Devi
38.	Ganga Ram	Chandro Devi
39.	Lakshman Chaudhary	Prema Devi
40.	Jai Ram Dass	Vidhya Devi
41.	Lalla Ram	Kachia
42.	Ganesh Parshad	Jafawati
43.	Ram Gopal	Nathiya
44.	Jwala Prashad	Beena
45.	Govind Singh	Geeta
46.	Raju	Hardevi
47.	Mahender	Malti Devi
48.	Krishan	Krishana
49.	Arjun	Debu
50.	Dharam Pal	Ganga Devi
51.	Kishori Lal	Susheela Devi
52.	Darshan Lal	Kamlesh Rani
53.	Cheddi Lal	Kamlesh

54.	Ramesh Chand	Rajendri Devi
55.	Ganga Ram	Kamla Devi
56.	Madan Lal	Kusum
57.	Tirath Ram	Shakuntala
58.	Sabeer Ahmed	Nasheema
59.	Amrik Singh	Nirmal Kaur
60.	Budhan	Munni
61.	Naresh	Pancho Devi
62.	Sohan Lal	Pavitra
63.	Babu Lal	Kamlesh
64.	Megha Nath	Kiran Devi
65.	Ramesh	Saraswati
66.	Kewal Krishan	Prem Kumari
67.	Jagat Pal	Ramana
68.	Mala	Keshav
69.	Madan Lal	Pushpa
70.	Pramod Kumar	Raj Rani
71.	Om Prakash	Chutoo
72.	Chander Bhan	Birwati
73.	Ramvir	Bimla Devi
74.	Raj Kumar	Meena
75.	Chhajju	Kailasho
76.	Kali Charan	Kamlesh
77.	Vilayati Ram	Meena
78.	Shiv Lal	Urmila
79.	Hari Sewak	Ishwar Devi
80.	Tejvir Singh	Kanta
81.	Satish	Kanehya Lal
82.	Shanti	Anju
83.	Narendar	Neelam
84.	Har Narain	Bala
85.	Laxman	Ramli
86.	Krishan	Kalawati
87.	Jagdish	Dayawanti
88.	Raj Kumar	Meena
89.	Jeeva Ram	Kali Devi
90.	Raju	Dali Devi
91.	Tulsi Ram	Babi Devi
92.	Tarsem Lal	Raj Kumari
93.	Bansi Lal	Mohinder Kaur

94.	Ganga Ram	Deepak
95.	Jalla	Leela
96.	Charan Dass	Harsh Kumari
97.	Prem Singh	Ashok Kumar
98.	Smt. Karanwati	Raja Ram
99.	Paramjit Singh	Kulvinder Kaur
100.	Niranjan Singh	Kamlesh
101.	Suresh	Chandrawati
102.	Kishan	Sulekha Devi
103.	Babloo	Santosh Kumari
104.	Narain Singh	Ram Murti
105.	Madan	Sona Devi
106.	Pappu	Munni Devi
107.	Jagdish	Raj Kumar
108.	Meera Lal	Prabha Devi
109.	Rajinder	Sumitra Devi
110.	Ram Kishore	Ganga Devi
111.	Raghuvir Singh	Geeta
112.	Jogendra Singh	Ramwati
113.	Lalit Chand	Reeta
114.	Lakshman Dass	Bhagwati Devi
115.	Satish Kumar	Arti
116.	Baldev Raj	Pushpa
117.	Nanku	Rajendra Kumar
118.	Balvinder Singh	Rajni
119.	Ashok Kumar	Satpal
120.	Mohd. Subrati	Mohd. Faruq
121.	Vijay Kumar	Sajwanti
122.	Gian Chand	Vidya
123.	Udey Ram	Durga Devi
124.	Nesra Nand	Shakuntala
125.	Banwari Lal	Anita
126.	Rajendra Singh	Rekha
127.	Om Prakash	Rama Devi
128.	Kishori Lal	Hem Lata
129.	Har Prashad	Bhagwan Devi
130.	Sewa Nath	Raj Dulari
131.	Ram Sharbat	Inderwati
132.	Har Prashad	Ramesh
133.	Puran Mal	Urmila

134.	Smt. Rani	Jyoti
135.	Ravinder	Dulari Sharma
136.	Ram	Sita
137.	Darshan	Digambari
138.	Kishan Singh	Indresh
139.	Subhash Chand	Chander Kanta
140.	Nand Lal	Seeta Devi
141.	Kulwant Singh	Mohinder Singh
142.	Darshan Lal	Darshna Rani
143.	Rakesh Kumar	Parmeshwari
144.	Shyam	Anita
145.	Bhagwan Dass	Mithlesh Pathak
146.	Sushil	Krishna Wanti
147.	Krishan Lal	Sudesh Rani
148.	Rajinder Singh	Sheela
149.	Trilok Chand	Chander Kanta
150.	Subhash	Usha
151.	Krishan Lal	Chander Devi
152.	Inder Singh	Mithlesh
153.	Surinder	Anita
154.	Om Prakash	Darshna Rani
155.	Ashok Kumar	Usha Rani
156.	Ram Dass	Azad
157.	Rajinder Kumar	Manju
158.	Kamal Mitra	Sudha Rani
159.	Kishan Lal	(a) Kushal Ram (b) Kalu Ram
160.	Mange Ram	Laxmi
161.	Charan Singh	Jeevani
162.	Ram Asrey	Indrawati
163.	Panna Lal	(a) Chittar (b) Satpal
164.	Vishwanath	Pranpati
165.	Amar Singh	Phula Devi
166.	Rama Nand	Saroj
167.	Munshi Ram	Shakuntla
168.	Laxminder Pal	Rajkali
169.	Babu Lal Betha	Geeta Devi
170.	Birbal	Pathi
171.	Dassai	Bahari

172.	Ram Het	Gulaicha Devi
173.	Shaukat Ali	Sirunisha
174.	Tilak Raj	Sudama
175.	Vishwanath Shah	Munni Devi
176.	Vijay	Rajeshwari
177.	Dhanwantri Devi	(a) Raju
		(b) Dharu Devi
		(c) Sarasita
		(d) Dhukani
178.	Islam	Jamila
179.	Nazir	Nasim
180.	Ram Sarup	Prema
181.	Rajinder Mehto	Manchi Devi
182.	Mahavir Mehto	Jaleshwari Devi
183.	Ram Chander	Ram Janki
184.	Kishan Lal	Meera Devi
185.	Ram Kumar	Ram Dev Singh
186.	Abdul Hafiz	Mohjabin Begum
187.	Nanu Ram	Mamta Devi
188.	Khushbi Ram	Gulshan Kumar
189.	Harbans Lal	Km. Rajnibala
190.	Abdul Hamid	Km. Razia

SCHEDULE—7E

List made out by the Commission from the affidavits received from Public in response to Public Notice issued by the Commission showing the names of persons who died or suffered sickness on or after 6-11-91 during the tragedy

Sl. No.	Name	Father's Name	Address
1.	Rati Ram	Babu Ram	Vill. Haiderpur, Delhi
2.	Radhey Sham	Rati Ram	Vill. Haiderpur, Delhi
3.	Jug Lal	Ram Dutt Ram	Jhuggi 111, Vill. Haiderpur
4.	Ganga Ram (Iqbal Singh)	Madan Singh	Shiv Mandir, Near Govind Mohalla, Azadpur
5.	Faqir Chand	Tulsi Dass	190, Vill. Azadpur
6.	Rakesh Kumar	Bansi Lal	B-153, JJ Cly., Chaukhandi
7.	Kishan Lal	Devi Dutt	A-763, JJ Cly., Chaukhandi
8.	Sunil	Ram Prakash	A-760, JJ Cly., Chaukhandi
9.	Subhash Chand	—	E-490, JJ Cly., Khayala
10.	Ram Bir	—	C-825, J. Puri
11.	Megh Nand	—	D-304, J. Puri
12.	Bansi Lal	—	E-439, J. Puri
13.	Rani Devi	Bansi Lal	E-439, J. Puri
14.	Babu Ram	—	144, Jatav Mohalla, Azadpur
15.	Ram Sahu	—	Jhuggi CD Park, J. Puri
16.	Deep Chand	—	B-2/57, Sarai Peepal Thala
17.	Harminder Singh	Uttam Singh	B/39, Rajan Babu Rd., Adarsh Nagar
18.	Laxman Chaudhary	—	56, Vill. Bhodola
19.	Khushali Ram	—	4/296, Subhash Nagar
20.	Darshan Lal	Gopal Dass	K-3, Mukhram Garden, Chaukhandi
21.	Banwari Lal	Pyare Lal	112-A, B Blk., Sant Nagar
22.	Prem Singh	S. Thomas	K-717, J. Puri
23.	Jwala Prasad	Bharat Singh	8140, Dina Nath Rd., Roshanara
24.	Tirath Ram	—	331, G-Blk., J. Puri
25.	Baldev Raj	—	P-338/3, Baljit Nagar
26.	Gian Chand	—	—
27.	Nija Nand	—	—

SCHEDULE—7F

List of Persons verified by the Official of the Commission at the spot from amongst the excess figures shown in the list of 'Nashamukti Foundation' showing the names of persons who died or suffered sicknesses on or after 6-11-1991 during the tragedy.

S. No.	Name	Father's Name	Address
1.	Niranjan Singh	Gurdit Singh Randhawa	Jhuggi 1285, H-Blk., J. Puri
2.	Gurbaksh Singh	Dalla Singh	K-1074, J. Puri
3.	Jhagru	Hari Kishan	MIG Flats, K-Blk., J. Puri
4.	Jhoghu	Ved Ram	Labour Camp, K-Blk., J. Puri
5.	Mange Ram	Sudan Singh	669, K-Blk., J. Puri
6.	Prem Singh	Thomas	K-718, J. Puri
7.	Charan Singh	Nathu Ram	K-104, Jhuggi J. Puri
8.	Naresh	Prem Singh	Vill. Bhalasva, J. Puri
9.	Raj Kr.	Chottey Lal	Jhuggi, Bhalasva, J. Puri
10.	Shri Krishan	Nar Singh	Jhuggi-58, Bhalasva, J. Puri
11.	Inder Singh	Rawat Singh	WZ-12, B-Blk., Gulab Bagh, Nawada Vill.
12.	Halim	Salim	36–B, Barva Cly., Burari Vill.
13.	Jag Prakash	Shiv Narain	296, Gali No. 2, Haiderpur, Ambdkr. Ngr., Sanjay Camp
14.	Dhansham	Naraini	Gali No. 5, Haiderpur, Ambdkr. Ngr., Sanjay Camp
15.	Adhik Lal	Jamun Mehto	Jhuggi AA-43, Kela Godown, Shalimar Bagh
16.	Badu	—	T-320, Baljeet Ngr.
17.	Daya Ram	Ram Sarup	C-1781, J. Puri
18.	Niwashi Ram	Kashi Ram	C-1863, J. Puri
19.	Nasim Ad.	Rahmatullah	C-614, J. Puri
20.	Taromi Das	Chetan Das	C-319, J. Puri
21.	Hari Singh	Dalip Singh	L-33, Mahendra Park, J. Puri
22.	Ram Charan	Loyeen	1838, I-Blk., J. Puri
23.	Kishan Lal	Jethanand	A-483, J. Puri
24.	Laxman Das	Mona Ram	A-516, J. Puri
25.	Nanku Ram	Gaje Singh	90, Ravi Das Cly., Sarai Pipal Thala, Azadpur

26.	Phoola Devi	—	162, J-Blk., J. Puri
27.	Panna Lal	Behari Lal	J-1597, J. Puri
28.	Ram Karan	—	1743, I-Blk., J. Puri
29.	Panni Lal	—	J-1846, J. Puri
30.	Roshan Khan	Muttu Khan	J-1974, J. Puri
31.	Shankar	Bhagwan Shah	A-132, Farid Puri, Anand Parbat
32.	Ganga Ram	Shri Ram	Jhuggi Lakhi Park, P.S. J. Puri
33.	Kripa Shanker	Kashi Nath	Kaushik Enclave, Burari Vill.
34.	Sukh Chain	Ram Das	H-1152, J. Puri
35.	Sohan Lal	Har Prashad	Jhuggi, H-Blk., J. Puri
36.	Nanhe	—	J-Blk., Jhuggi Camp, J. Puri
37.	Nasim	Abdul	Jhuggi-3, H-Blk., J. Puri
38.	Salim	Mangloo Mistry	J-Blk., Jhuggi, J. Puri
39.	Buran	—	Bhalasva Vill., J. Puri
40.	Ram Sarup	Adhik Lal	AA-43, Kela Godown
41.	Narain	—	Jhuggi Shahbad Dairy, Daulatpur
42.	Sher Singh	—	E-1198, J. Puri
43.	Shiv Charan	—	A-1186, Shahbad Dairy
44.	Rajinder Mehto	—	AA-29, Kela Godown, Adarsh Nagar

SCHEDULE—7G

Ultimate list prepared by the Commission showing the names of persons who died or suffered sickness on or after 6-11-1991 during the tragedy.

Sl. No.	Name	Father's Name	Address
1.	Vijay Kumar	Challi Ram	16/1595, Bapa Nagar, Delhi
2.	Udey Ram	Mangle Ram	16/1343-R, Padam Singd Rd., Karol Bagh, N. Delhi
3.	Gyan Chand	Prabhu Dayal	16/1363, A.S. Road, Karol Bagh, N.Delhi
4.	Nija Nand	Kalu Ram	16/478-H, Bapa Nagar, Delhi
5.	Rajinder Mehto	Bhola Mehto	Jhuggi 89, Near Kela Godown, Delhi
6.	Ram Iqbal	Gauri Shankar Yadav	Jhuggi Shahbad Dairy S.P. Badli, Delhi
7.	Banwari Lal	Pyare Lal	112-A, Batra Cly., Sant Ngr., Burari
8.	Gulcharan Singh	Butta Singh	32, Gopal Nagar, Delhi
9.	Kishan Lal	Bhagwan Dass	Balwant Thekedar, Azadpur Chowk, Delhi
10.	Babu Lal	Mangal Bheta	New Subzi Mandi, Azadpur
11.	Kamal Mitra	Birinder Kumar	458, Azadpur
12.	Unknown	—	—
13.	Balla Ram	Mawashi Ram	144, Azadpur, Delhi
14.	Gurbachan Singh	Ladha Ram	266, Azadpur, Delhi
15.	Raj Kumar	Kesar Dass	D-68, Adarsh Nagar, Delhi
16.	Amar Singh	—	—
17.	Bhajan Yadav	—	Vill. Ghuwari, DT&PS, Azamgarh, U.P.
18.	Duwarka Ram	Nagai	Vill. Jafipur, PS Barpata DT Azamgarh U.P.
19.	Rajdevi	Ram Dass	Jhuggi Rly. Stn., Adarsh Nagar
20.	Harminder	Uttam Singh	B-39, Rajan Babu Road, Delhi
21.	Deep Chand	Shanik Ram Chand	D-Block, New Subzi Mandi, Adarsh Nagar
22.	Upinder	Bhola	94, Sarai Pipal Thala, Adarsh, Nagar, Delhi
23.	Madan	Hem Ram	Arjun Nagar, Gurgaon, Haryana
24.	Unknown	—	A-1, Indra Nagar, Delhi
25.	Durjan Singh	Mani Ram	H. No. 468-B-1, Azadpur, Delhi
26.	Unknown	—	Opp. N. Azadpur, Rly. Stn.
27.	Tejram	Muna Ram	Jhuggi No. 365, H. Block Jahangirpuri, Delhi

60.	Om Prakash	Suryadev Pandey	1985, I-Block, Jahangir Puri, Delhi
61.	Madan Lal	Bishan Dass	G-772, Jahangir Puri, Delhi
62.	Hari Sewak	Shiv Dayal	K-1939, Jahangir Puri, Delhi
63.	Tejbir	Ranveer	K-1627, Jahangir Puri, Delhi
64.	Babu Lal	Panna Lal	C-1064, Jahangir Puri, Delhi
65.	Abdul Hafiz	Abdul Khalik	K-328, Jahangir Puri, Delhi
66.	Chander Bhan	Ram Singh	C-1367, Jahangir Puri, Delhi
67.	Amar Singh	Muneshi Ram	J-1770, Jahangir Puri, Delhi
68.	Rani	W/Bansi Lal	D/439, Jahangir Puri, Delhi
69.	Buran Khan	Hamid Khan	74, ITI, Jahangir Puri, Delhi
70.	Darshan Lal	Jainam Prashad	K-901, Jahangir Puri, Delhi
71.	Kali Charan	Puran	C-1159, Jahangir Puri, Delh
72.	Ram Kumar	Ram Avtar	Jhuggi 128, K-Block, Jahangir Puri, Delhi
73.	Jetha Singh	Jai Ram	H-4/333, Jhuggi Jahangir Puri, Delhi
74.	Raj Kumar	Man Bahadur	H. No. 101, Village Balaswa, Jahangir Puri, Delhi
75.	Shakti	Ishwar Dass	K-1324, Jahangir Puri, Delhi
76.	Ganga Ram	Sing Ram	Jhuggi B-36, J Blk., Jahangir Puri, Delhi
77.	Sri Krishan	Bhagwan Dass	Village Balaswa, Jahangir Puri, Delhi
78.	Ramveer	Harbans Lal	C-825, Jahangir Puri, Delhi
79.	Raj Singh	Kedar Singh	C-218, Jahangir Puri, Delhi
80.	Ram Asrey	Mukh Ram	Vill. Bhalasno Bell, Delhi
81.	Satish	Kanhaya Lal	K-1544, Jahangir Puri, Delhi
82.	Laxman	Sant Raj	Vill. Balaswa, Jahangir Puri, Delhi
83.	Jagdish	Vishwanath	Vill. Balaswa, Jahangir Puri, Delhi
84.	Sabir Ahmad	Mangloo Mistery	Jhuggi 120, H-38, CD Park, Jahangir Puri, Delhi
85.	Raj Kumar	Babu Lal	B-1544-45, Jahangir Puri, Delhi
86.	Narender Kumar	Mohan Lal	K-123, Jahangir Puri, Delhi
87.	Kishori Lal	Bhoop Ram	E-248, Jahangir Puri, Delhi
88.	Megh Nath	Rattan Lal	B-304, Jahangir Puri, Delhi
89.	Ravindra Sharma	Jitender Sharma	101/3, CD Park, Jahangir Puri

90.	Har Narain	Khem Chand	Vill. Bhalaswa, Jahangir Puri, Delhi
91.	Sewa Ram	Jagan Nath	Jhuggi 296, CD Park, Jahangir Puri, Delhi
92.	Charan Dass	Tota Ram	C-86, DDA Flats, Jahangir Puri, Delhi
93.	Parmood Kumar	Ram Lal	G-1812, Jahangir Puri, Delhi
94.	Ram Sarbat	Dukhi Ram	K-618, Jahangir Puri, Delhi
95.	Har Prashad	Prabhu Dayal	Jhuggi No. 130, K. Blk., Lodhi Park, Jahangir Puri, Delhi
96.	Naresh Mange	Tukalal Mange	C/o Baljeet Yadav, Vill. Bhalaswa, Jahangir Puri, Delhi
97.	Soket Ali	Abdul Rehman	K-896-97, Jahangir Puri, Delhi
98.	Smt. Krishna	W/o Banne	I-1084, Jahangir Puri, Delhi
99.	Kewal Krishan	Sunder Dass	K-929, Jahangir Puri, Delhi
100.	Vilayati Ram	Mool Chand	B-1115, Jahangir Puri, Delhi
101.	Chajju Ram	Shiv Lal	C-1417, Jahangir Puri, Delhi
102.	Ramu	Jullam Shah	318, CD Block, Jahangir Puri, Delhi
103.	Ramhit	Bhikari Ram	A-24, Rajiv Ngr., Vill. Bhalaswa, Delhi
104.	Har Parshad	Nathu Lal	C-1168, Jahangir Puri, Delhi
105.	Om Prakash	Khyali Ram	Jhuggi 427, G-Block, Jahangir Puri, Delhi
106.	Amrik Singh	Pyara Singh	F-13, Mohindra Park, Jahangir Puri, Delhi
107.	Rama Nand	Lal Bahadur	Vill. Raghu Hotel, Rai Bareily Present Add. 82/9, State Bank Cly., Gujrawala Town, Delhi
108.	Shiv Lal	Vijay Singh	I-1458, Jahangir Puri, Delhi
109.	Madan Lal	Sri Lala Ram	G-1575, Jahangir Puri, Delhi
110.	Puran Mal	Jadu Ram	EE-2947, Jahangir Puri, Delhi
111.	Tirath Pal	Dori Lal	Jhuggi No-331, G-Block, Jahangir Puri, Delhi
112.	Prem	S. Thomas	K-717, Jahangir Puri, Delhi
113.	Ajeet	Samunder	E-1838, Jahangir Puri, Delhi
114.	Jeeva Ram	Uka Ram	H-787, Jahangir Puri, Delhi
115.	Raju	Raja Man	H-2,706, Jahangir Puri, Delhi
116.	Tulsi Ram	Okha Ram	H/1342, Jahangir Puri, Delhi

117.	Banwari Lal	Ram Lakha	D-439, Jahangir Puri, Delhi
118.	Ganga Ram	Ram Prashad	K-2/58, Jahangir Puri, Delhi
119.	Makhan Lal	Giyan Chand	K-1903, Jahangir Puri, Delhi
120.	Tursem Lal	Sardari Lal	K-2021, Jahangir Puri, Delhi
121.	Munshi Ram	Nanak	F-101, Jahangir Puri, Delhi
122.	Govind	Dhir Singh	Jhuggi D-12, Lal Bagh, GTK Road, Delhi
123.	Rajender	Shyam Lal	D-87, Lal Bagh, GTK Road, Delhi
124.	Mahinder	Mahesh	B-94, Ashoka Factory, GTK Road, Delhi
125.	Shri Krishan	Bankey Lal	C-14, Jhuggi Lal Bagh
126.	Arjun	Dhir Bahadur	D-12, Lal Bagh, GTK Ind. Area, Azad Pur, Delhi
127.	Dharam Pal	Seval Dass	E-433, M. C. D. Colony, Azad Pur, Delhi
128.	Unknown	—	GTK Road
129.	Jagat Pal	Jagdeshwar Singh	Shop No. 14/46, Model Town, Delhi
130.	Kishori Nath	Kapoor Chand	C-227, Lal Bagh, Delhi
131.	Darshan Sehgal	Shiv Nath Rai	E-3/10, Model Town, Delhi
132.	Chaddi Lal	Dhujai	Jhuggi No. 569, Lal Bagh, Delhi
133.	Mala	Bal Kishan	25-A/230, Jhuggi Lal Bagh, Delhi
134.	Ram Bharose	Mohan Lal	C-359, Lal Bagh, Delhi
135.	Ramesh Chand	Lal Ram	120 Gali No. 1, Lal Bagh, Delhi
136.	Lakhminder Pal	Bhishan Singh	Jhuggi Shahbad Dairy, Delhi
137.	Kishan Singh	Attar Singh	Vill. Khera Kalan, PS Samai Pur, Badli, Delhi
138.	Narain Singh	Ram Charan	Jhuggi 18 E, F-Block Janta Cly. Shahdara, Delhi
139.	Sher Bahadur	Rakhai	Jhuggi 179, Suraj Park, Samai Pur Badli, Delhi
140.	Jag Mal Singh	Ram Datt Ram	Jhuggi No. 66, Opp. Ayurvedic Hosp. Haider Pur, Delhi
141.	Balu Ram	Nihal Chand	H. No. 41, Gali No. 8, Haider Pur, Ambedkar Nagar, Delhi

142.	Vijay	Kundan Lal	H. No. 41, Gali No. 8, Haider Pur, Ambedkar Nagar, Delhi
143.	Santosh	Bhundshwar	H. No. 122, Gali No. 5, Haider Pur, Ambedkar Nagar, Delhi
144.	Nasti Khan	Babu Khan	Gali No. 1, Ambedkar Nagar, Haider Pur, Delhi
145.	Jai Ram	Chotu Ram	61-B, Sanjay Camp, Haider Pur, Delhi
146.	Gopi Mahta	Alok Mahta	Jhuggi A-Block, Kela Godown, Shalimar Bagh, Delhi
147.	Sagar Paswan	Budh Paswan	Jhuggi 143, Haider Pur, Delhi
148.	Ram Pal	Dukhi	FIU Pitam Pura
149.	Madan	Guryal	DESU Colony, Gali No. 1, Shalimar Bagh, Delhi
150.	Ishwar Dass	Tota Ram	Vill. Sahipur, Delhi
151.	Ganesh Mehta	Budhu Mehta	Jhuggi AA Block, Kela Godown, Shalimar Bagh, Delhi
152.	Shuder Mahta	Doban Mehta	Jhuggi No. 33, AA Block, Kela Godown, Shalimar Bagh, Delhi
153.	Jammaluddin	Rashid Khan	Rakha Khuar PS Kampir Ganj, DT Gorakh Pur, MP
154.	Rajender Singh	Makhan Singh	WZ-163, Jhuggi Toda Pur, Delhi
155.	Sheela	Raja Ram	A-190, Baba Farid Puri, Anand Parbat
156.	Niranjan Singh	Shyam Lal	J-82, Gali No. 4, Punjabi Basti, Anand Parbat
157.	Suresh	Maya Ram	58/41, 11A Gali 19 Nai Basti, Anand Parbat, Delhi
158.	Krishan Dev	Dhukhi Rai	R/11, C Anand Parbat, New Rohtak Road, Delhi
159.	Ram Surat	Ram Samaj	25/6, Gali No. 8, Ind. Area, Anand Parbat, Delhi
160.	Rajinder Kumar	Mathura Dass	660/14, Gali No. 1, Punjabi Basti, Anand Parbat, Delhi
161.	Bablu	Ujjagar Lal	H. No. 46, B-Baba Farid Puri, Anand Parbat
162.	Narain Sharma	Ramji Lal Sharma	46/46A, Gali No. 15, Nai Basti, Anand Parbat, Delhi

163.	Hira Lal	Powche Ram	656-B, Gali 3, Punjabi Basti, Anand Parvat
164.	Madan	Chur Rao	H. No.-93, Gali 11, New Rohtak Road, Delhi
165.	Pappu	Mal Dass	3494, Baba Farid Puri, Anand Parbat, Delhi
166.	Jagdish	Chiranji Lal	51/47, Nai Basti, Gali No. 4, Anand Parbat
167.	Om Parkash	Haweli Ram	32/15, Ashok Nagar, Delhi
168.	Ashok Kumar	Om Parkash	32/15 Ashok Nagar, Delhi
169.	Ram Dass	Ramji Lal	WZ-175, Tihar Village, Delhi
170.	Kishan Lal	Parmanand	B-46, Vishwas Park, Uttam Nagar, N. Delhi
171.	Inder Singh Chauhan	Rawat Singh	WZ-12 B, Block Gulab Bagh, Uttam Nagar, N. Delhi
172.	Surendra Kumar	Siya Ram	E-76, Sector C, Bhagwati Vihar, Uttam Nagar, Delhi
173.	Mohd. Sabrati	Mohd. Hakim	WZ-8524, Basai Dara Pur, Delhi
174.	Ram Kishor	Kale	T-62, Baljeet Nagar
175.	Rajbir Singh	Nathu Lal	T-510, F-15, C-1, Baljeet Nagar
176.	Joginder Singh	Unknown	T-564, Baljeet Nagar
177.	Lalit Chand	Hira Balam	TWT 13-A/2, Baljeet Nagar, Delhi
178.	Ram Sarup	Baleshwar	T-553, Baljeet Nagar, Gali No. 22A, West Baljeet Nagar
179.	Lachman Dass	Devi Prashad	J-2051, Baljeet Ngr.
180.	Satish Kumar	Roshan Lal	T-486/A, Baljeet Nagar
181.	Baldev Raj	Hem Ram	T-336, 3B, Baljeet Nagar, Delhi
182.	Vishwa Nath	Dulihan	T-489, Baljeet Nagar, Delhi
183.	Nanku	Border	BT-4, Baljeet Nagar, Delhi
184.	Balvinder Singh	Kartar Singh	2178/1, Guru Arjun Nagar
185.	Unknown	Unknown	T-320 A, Balmiki Cly,
186.	Ashok Kumar	Chunni Lal	T-562, A-1, Baljeet Ngr.
187.	Khushali Ram	Bhagwan Dass	4/296, Subhash Nagar, Delhi
188.	Harbans Lal	Hari Chand	17/113, Subhash Nagar, Delhi
189.	Abdul Hamid	Abdul Majid	572, Vill. Kacha Tihar, Delhi
190.	Subhash Chand	Bansi Lal	E-490, Chaukhandi, Delhi

191.	Nand Lal	Gobind Ram	B-476, Chaukhandi, Delhi
192.	Kulwant Singh	Mohinder Singh	A-797, JJ Cly.. Chaukhandi, Delhi
193.	Darshan Lal	Gopal Dass	K-3, Mukhram Garden, Delhi
194.	Rakesh Kumar	Bansi Lal	B-153, JJ Cly., Chaukhandi
195.	Shyam	Raghu Singh	A-657, JJ Cly., Chaukhandi
196.	Bhagwan Dass	Raman Lal	A-98, JJ Cly., Chaukhandi, Delhi
197.	Sunil	Ram Parkash	A-760, JJ Cly., Chaukhandi, Delhi
198.	Kishan Lal	Devi Dittamal	A-761, JJ Cly., Chaukhandi, Delhi
199.	Rajendra	Sardari Lal	A-653, JJ Cly., Chaukhandi, Delhi
200.	Tarlok Chand	Ram Chander	A-285, JJ Cly., Chaukhandi, Delhi
201.	Subash	Ishwar Dass	WZ-108, Sant Nagar, Delhi
202.	Rajinder Kumar	Phool Chand	WZ-34, Phase III, Om Vihar, Uttam Nagar, Delhi
203.	Bhagwan Das	Jaspal Singh	P-73, Vishnu Garden Delhi
204.	Duji	Girija Pd.	Jhuggi Motia Khan, P. Bagh
205.	Ganga Ram	Bhola Ram	90, Malkesh Singh,Harijan Basti, Burari
206.	Prabhu Dayal	Chet Ram	WZ-450, Tihar Village
207.	Rameshwar	Surja Ram	890, Baba Farid Puri, West Patel Nagar, Delhi
208.	Satya Pal	Darshan Singh	T-702 A/2, Baljeet Nagar, Delhi
209.	Niranjan Singh	Gurdit Singh Randhwa	Jhuggi 1285, H-Block, J. Puri
210.	Gurbaksh Singh	Dalla Singh	K-1074, J. Puri
211.	Jhagru	Hari Kishan	MIG Flats, K-Block, J. Puri
212.	Jhoghu	Ved Ram	Labour Camp, K-Block, J. Puri
213.	Mange Ram	Sudan Singh	669, K-Block, J. Puri
214.	Prem Singh	Thomas	K-778, J. Puri
215.	Charan Singh	Nathu Ram	K-104, Jhuggi, J. Puri
216.	Naresh	Prem Singh	Vill. Bhalsava, J. Puri
217.	Raj Kumar	Chhottey Lal	Jhuggi Bhalsava, J. Puri
218.	Shri Krishan	Nar Singh	Jhuggi-58, Bhalsava, J. Puri
219.	Inder Singh	Rawat Singh	WZ-128, Block, Gulab Bagh, Nawada Village
220.	Halim	Salim	36-B, Barva Cly., Burari Vill.

221.	Jag Parkash	Sri Narayan	296, Gali No. 2, Haiderpur, Ambedkar Nagar, Sanjay Camp
222.	Dhansham	Naraini	Gali No. 5, Haiderur, Ambedkar Ngr., Sanjay Camp
223.	Adhik Lal	Jamun Mehto	Jhuggi AA-43, Kala Godown
224.	Badu	—	T-320, Baljeet Nagar, Delhi
225.	Daya Ram	Ram Sarup	C-1781, J. Puri
226.	Niwashi Ram	Kashi Ram	C-1853, J. Puri
227.	Nasim Ad.	Rahmatullah	C-614, J. Puri
228.	Taromi Das	Chetan Das	C-319, J. Puri
229.	Hari Singh	Dalip Singh	L-13, Mahendra Park, J. Puri
230.	Ram Charan	Loyeen	I-1838, J. Puri
231.	Kishan Lal	Jethanand	A-483, J. Puri
232.	Laxman Das	Mona Ram	A-516, J. Puri
233.	Nanku Ram	Gaje Singh	90, Ravi Dass Colony, Sarai Peepal Thala, Azadpur
234.	Phoola Devi	—	J-162, J. Puri
235.	Panna Lal	Bihari Lal	J-1557, J. Puri
236.	Ram Karan	—	I-1763, J. Puri
237.	Panni Lal	—	J-1846, J. Puri
238.	Roshan Bhan	Muttu Khan	J-1974, J. Puri
239.	Shankar	Bhagwan Shah	A-132, Faridpuri, A. Parbat
240.	Ganga Ram	Shri Ram	Jhuggi Lakhi Park, J. Puri
241.	Kripa Shankar	Kashi Nath	Kaushik Enclave, Burari Vill.
242.	Shukh Chain	Ram Dass	H-1152, J. Puri
243.	Sohan Lal	Har Prashad	Jhuggi H-Blk, J. Puri
244.	Nanhe	—	J-Blk, Jhuggi Camp. J. Puri
245.	Nasim	Abdul	Jhuggi 3, H-Blk, J. Puri
246.	Salim	Mangloo Mistry	J-Blk. Jhuggi, J. Puri
247.	Buran	—	Bhalsava Vill., J. Puri
248.	Ram Sarup	Adhik Lal	AA-43, Kela Godown
249.	Narain	—	Jhuggi Shahbad Dairy, Daulatpur
250.	Shar Singh	—	E-1198, J. Puri
251.	Shiv Charn	—	A-1186, Shahbad Dairy
252.	Rajinder	—	A-29, Kela Godown, Adarsh Nagar

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Details of Blind Persons

Sl. No.	Name	Father's Name	Address
1.	Hardeep Singh	Mohender Singh	A-797, J.J. Cly., Chaukhandi
2.	Bal Kishan Singh	Gangu Singh	E-14, Govt. Qr., Dev Nagar
3.	Dharam Pal	Shambhu Dayal	16/14, Pyare Lal Road, Bapa Nagar
4.	Narinder Kumar	Mohan Ram	16/169, Arya Samaj Road, Bapa Nagar
5.	Joy Phillips	Julies Phillips	A-573, J.J. Colony, Chaukhandi
6.	Islam	—	B-102, Om Vihar, Delhi
7.	Radhey Shyam	Roop Chand	31/16, Ashok Nagar, Delhi
8.	Nek Bahadur	Bir Bahadur	52/41, Gali No. 17, Nai Basti, Delhi
9.	Ashok Kumar	Raghunandan	674, Gali No. 8, Haiderpur
10.	Ashok Kumar	Sareshwar Pd.	Jhuggi 80, K-Block, J. Puri
11.	Ashok	Bhura Ram	16/569, Bapa Nagar
12.	Bhupeshwar Saha	Siddham Saha	32, Punjabi Gali, Sarai Peepal Thala, Azadpur
13.	Bengali	Mangal	D-33, MS Mandi, Azadpur
14.	Darshan	Phool Chand	Sarai Peepal Thala, Azadpur
15.	Baijnath	Mirsan Paswan	Jhuggi 48, Rly. Stn., Azadpur
16.	Babu Lal	Ved Ram	Jhuggi 394, J. Puri
17.	Babu Lal	Asha Ram	J-82, Gali No. 4, Punjabi Basti, Delhi
18.	Bhargu	Ram Bhoop	131, Malik Puri
19.	Chottu	Algu	Vill. Bhodola, Azadpur
20.	Chander Shekhar	Hilal Ram	25, Gali Sajed Wali, Azadpur
21.	Dewan Singh	Prem Singh	D-1084, J. Puri
22.	Hub Lal	Ram Piare	B-1371, MS Mandi, Azadpur
23.	Harnath	Lok Ram	A-148, Jahangir Puri
24.	Jai Bhagwan	Rattan Lal	484, Azadpur
25.	Jagdish	Hari Rattan	Jhuggi K/2/41-42, J. Puri
26.	Murari Lal	Babu Lal	G-157, J. Puri
27.	Nizamuddin	Sarvar	Jhuggi 206, Azadpur
28.	Panch Dev	Bhikka	Jhuggi Lal Bagh
29.	Pyare Lal	Khajan Singh	670, Nehru Kutiya, S. Marg
30.	Ram Mehar	Moode	100, Vill. Bhodola, J. Puri
31.	Ram Avtar	Surja Singh	400, Gali Mandir Wali, Azadpur
32.	Ramji Pd.	Diwakar Pd.	22, Vill. Bhodola
33.	Ram Gopal	Bhog Ram	Jhuggi K-Blk, J. Puri
34.	Ramesh	Shiv Charan	Jhuggi K-141, J. Puri

35.	Raja Ram	Sohan Singh	Jhuggi K-Blk, J. Puri
36.	Ram Surat	Jhinnu	Jhuggi Zakhira
37.	Rogan Lal	Ram Raj	Gali No. 8, Anand Parbat
38.	Shankar	Ram Chadha	Jhuggi Near Azadpur
39.	Sultan Singh	Balak Ram	M.S. Mandi, Azadpur
40.	Shyam Lal	Jagdish	233, Badi Nagar, Azadpur
41.	Satish	Karan Singh	467, Vill. Azadpur
42.	Sahu Mehta	Ram Kali	9-B/44, A-Blk, Kela Godown
43.	Surender	Mahesh	B-94, Ashok Plastic Factory
44.	Shamsher Singh	Madhuwan	E-35, Rama Park, Siraj
45.	Srinath	Anand	253, Vill. Bhodola
46.	Sham Sunder	Jiwan Das	16/620, Bapa Nagar
47.	Surinder Singh	Pyare Lal	91, Gali No. 13, Anand Parbat
48.	Suresh	Khasra Singh	A-41, Indra Park
49.	Tejpal	Man Singh	Jhuggi Lakhi Park, J. Puri
50.	Unknown	—	—
51.	Ved Ram	Mangal Sain	Gali No. 3, Haiderpur
52.	Chander Shekhar	Amar Chand	Jhuggi Haiderpur
53.	Lakhi Ram	Shiv Pal	164, Gail Mandir Wali, Azadpur
54.	Paramjeet	Surender Singh	A-1560, Jhuggi J. Puri
55.	Radhesham	Dhan Singh	Patri, MS Mandi, Azadpur
56.	Raju	Hazari Das	Vill. Bhalsava, J. Puri
57.	Surender Singh	Hazoor Singh	M-4, Mahendra Park, J. Puri

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Details of persons who suffered sicknesses such as—Vomiting Giddiness, Nausee, Blurred Vision

S. No.	Name	Father's Name	Address
1.	Gurcharan Singh	Harbhajan	K-87, Raghubir Nagar
2.	Mohinder	Kulwant Singh	4/126 Shahpur Jatt
3.	Unknown	—	—
4.	Unknown	—	—
5.	Arjun Das	Dharam Das	A-475, J. Puri
6.	Ajay Mohan	J.L. Gambhir	T-2236, Faiz Road
7.	Bhim	Bhagwan Das	10881, A-Blk., Sat Nagar
8.	Chunni Lal	Nihal Chand	J-111, Gali No. 14, Punjabi Camp
9.	Chander Bhan	Banwari Lal	Baba Farid Puri, A. Parbat
10.	Dwarka Pd.	Kanaihya Lal	AJ-2/23, Baljit Ngr.
11.	Jagdish	Kesar	69, Gali No. 2, A. Parbat
12.	Karonal	Ram Chander	1795, Gali No. 2, Balmiki City
13.	Kundan	Bishan	354, Gali No. 2, A. Parbat
14.	Mohan Lal	Ram Chander	6169, Gali No. 4, Blk-1, Bapa Ngr.
15.	Man Singh	Nanak Chand	16/1311, Bapa Ngr.
16.	Mohan Lal	Sohan Lal	A-4/8, J.J. Cly. Pandav Ngr.
17.	Ram Raj	Dal Singh	B-315, Baljit Ngr.
18.	Manish	Jaggi Das	J-491, Baljit Ngr.
19.	Madan	Ram Prakash	A-760, DDA Cly., Chaukhandi
20.	Nand Lal	Hari Ram	J-563, Gali No. 3, Baljit Ngr.
21.	Narinder Singh	Bir Singh	7, Palika Hostel, Ram Bazar
22.	Narain	Ganpat Rai	91/13, Anand Parbat
23.	Pyare Lal	Duli Chand	16/1470, Bapa Ngr.
24.	Puran Chand	Sneh Lal	245-A, Baba Farid Puri
25.	Rohtas	Shambhu Dyal	10/80, Gali No. 8, Balmiki City
26.	Ram Kali	Lala Pd.	A-190, Baba Farid Puri
27.	Radhey Lal	Bihari Lal	349-C, Baba Farid Puri
28.	Rajesh	Mohinder	197, Baba Farid Puri
29.	Raj Kr.	Narain	I-16, Type-I, Krishi Kunj
30.	Raju	Ram Chander	6747, Gali No. 1, Dev Nagar
31.	Ramesh	Gyan Singh	75, Jodhpur, Pandav Ngr.
32.	Ram	Ram Manjoori	Kothi No. 3, Madhav Rd.
33.	Rajender Singh	Nathu Ram	12/124, Gali No. 3, Man Singh Rd.
34.	Satya Kumar	Umrao	A-19, New Sabzi Mandi
35.	Subash	Julies Robert	A-573, J.J. Cly. Choukhandi

36.	Satish Kr.	—	143, Chand Nagar
37.	Vishnu	Khedi Ram	T-510, C-46, Baljeet Nagar
38.	Rajesh Kr.	Ram Chander	48-A, Baba Farid Puri
39.	Hans Raj	—	A-657, Tilak Nagar
40.	Kedar Singh	—	H-3/373, J. Puri
41.	Kalicharan	—	H-445, Chaukhandi
42.	Sukhbir Singh	Janmet Das	J-572, Baljeet Nagar
43.	Gyan Bahadur	—	C-I, Okhla Ind. Area
44.	Chandra Bahadur	Tulka Bahadur	Jhuggi Bada Bagh
45.	Ashok Kumar	Hukam Chand	9/1, Amrit Khur Puri Tank
46.	Chunni Lal	Ram Dyal	Gali No. 47, Regar Pura
47.	Durga Pd.	Dal Chand	16/1362, A-Block, Bapa Nagar
48.	Gyan Chand	Mangal Ram	6255, Gali No. 1, Block-6, Dev Nagar
49.	Ganga Ram	Hira Lal	Gali No. 8. Anand Parbat
50.	Jai Kishan	Ganga Sharan	27/6, Arya Samaj Rd., Karol Bagh
51.	Kishan	Ghasi Ram	179, School Wali Gali, Azadpur
52.	Kalu Ram	Nawal Kishore	9/1, Amrit Kaur Puri
53.	Mumtaj Ad.	Mustaq Ad	423, Matia Mahal, Jama Masjid
54.	Mani	—	Footpath, New Delhi Rly. Stn.
55.	Rajesh	Shiv Shankar	1466, Jhuggi Chander Shekhar
56.	Raj Kumar	Dayanand	Gali No. 5, Karol Bagh
57.	Ram Gopal	Kashmiri Lal	17/124, Gali No. 3, Man Singh Rd.
58.	Ramesh Chand	Mangloo Ram	2513, Gali Lajpat Rai, K. Bagh
59.	Ram Kishan	Ganga Sharan	2726, Gali Arya Samaj
60.	Shishpal	Mukhtiar Singh	321, Shahpur Jatt
61.	Sheela	Niranjan Das	42/3, Anand Parbat
62.	Shri Kishan	Mani	Footpath New Delhi Rly. Stn.
63.	Suresh	Banke Lal	C-14, Jhuggi Lal Singh
64.	Srinath	Kishan Lal	Qutab Rd., Sadar Bazar
65.	Tara Chand	Babu Ram	489, Gudi Nagar, Azad Pur
66.	Tej Ram	—	Gali No. 13, S.P. Badli
67.	Bhagwani Pd.	Dwarka Pd.	B-1242, J. Puri
68.	Banwari Lal	Phool Singh	B-1, Laxman Park, Krishna Ngr.
69.	Cheyi Ram	Darbar Singh	14, Patharwala Bagh, Wazirpur
70.	Chedi Lal	Nar Rai	Jhuggi Derawal Ngr.
71.	Dharam Pal	Bhagwan Singh	H-1141, J. Puri
72.	Hari Das	Parvat	Hans Raj Colony, J. Puri
73.	Hari Chand	Kalicharan	F-133, J.J. Cly., Wazir Pur
74.	Hukam Singh	Devi Singh	489, Rly. Road, Sadi Nagar
75.	Kulwant Singh	Thakur Singh	K-1572, J. Puri

76.	Kailash	Jamun	Jhuggi No. 1906, J-Blk., J. Puri
77.	Kewal	Bijwas	B-388, Yamua Vihar
78.	Mandiska	Kaltan	Sarai Peepalthala, Azadpur
79.	Narinder	Nathu Singh	B-2, Sarai Peepalthala
80.	Nirmal	Hem Chand	Jhuggi K-Blk., J. Puri
81.	Pitamber	Ram Kr.	B-490, J. Puri
82.	Ram Garib	Panchu	311, Sanjay Camp, Haider Pur
83.	Ramjas	Nimhal	Jhuggi Azadpur Rly. Stn.
84.	Ram Sewak	Vijay	Jhuggi J. Puri
85.	Ram Lakhan	Hira Man Singh	373, H-3/4, I-Blk., J. Puri
86.	Radhesham	Ghansham	Kela Godown, Azadpur
87.	Surya	Desraj	A-73, Azadpur
88.	Suraj Singh	Hari	Jhuggi No. 13, Vill. Bhodola
89.	Shyam	Bispal	Jhuggi Mool Chand, Adarsh Ngr.
90.	Sat Narain	Raj Kr.	Jhuggi 324, K-Blk., J. Puri
91.	Sher Singh	Puran Singh	B-1198, J. Puri
92.	Suresh Kr.	Suraj	G-791, J. Puri
93.	Suraj Bali	Kundan	D-217, Jhuggi Sarai Rohilla
94.	Unknown	—	—
95.	Unknown	—	—
96.	Tulsi Ram	Devi Singh	C-826, J. Puri
97.	Ram Tirath	Ram Mahesh	31/6, Ashok Nagar
98.	Subhash	Desraj	A-73, Azadpur, Delhi
99.	Theban Singh	Devi Singh	484, Gudi Nagar, Azadpur
100.	Hari Prasad	Birbal	153, Vill. Bhodola
101.	Love Singh	Hari Dev Singh	A-800, Bhalsava Dairy, S.P. Badli
102.	Paramjeet	Surinder Singh	K-1560, J. Puri
103.	Mauji Ram	Gata Ram	H-572, J. Puri
104.	Bhagwan Das	—	10887, Balmiki Colony
105.	Balbir Singh	Gyan Singh	E-14, Govt. Qr., Dev Nagar
106.	Noor Hasan	Salim	WZ-23, Ram Nagar, Chaukhandi
107.	Kalicharan	Ram Rattan	WZ-203, Sant Nagar
108.	Ram Swaroop	Bekam	A-683, JJ Cly., Chaukhandi
109.	Suresh	Bansi Lal	B-153, JJ Cly., Chaukhandi
110.	Dharam Pal	Bihari Lal	A-352, JJ Cly., Chaukhandi
111.	Khushal Chand	Devi Dutt	A-761, JJ Cly., Chaukhandi
112.	Panna Lal	Hodal Chand	26, Vill. Chaukhandi
113.	Sunder Lal	Nathi Lal	Vill. Chaukhandi
114.	Kuldip Chand	Deewan Chand	B-180, JJ Cly., Chaukhandi
115.	Shyam Sunder	Babu Lal	A-353, JJ Cly., Chaukhandi

116.	Niranjan Singh	Shiv Lal	A-630, JJ Cly., Chaukhandi
117.	Satbir Singh	Sangat Singh	WZ-44, Chand Nagar, Delhi
118.	Badshah	Chhotta Ram	A-289, JJ Cly., Chaukhandi
119.	Mukesh	Jagat Ram	JJ Cly., Chaukhandi
120.	Dev Bahadur	Sant Bahadur	JJ Cly., Chaukhandi
121.	Subhash	Kundan Lal	A-682, JJ Cly., Chaukhandi
122.	Satish	Julius Robert	A-573, JJ Cly., Choukhandi
123.	Irshad Ahmed	Mushtaq Ahmed	A-266, JJ Cly., Chaukhandi
124.	Mohd. Sahid	Ibrahim	A-266, JJ Cly., Chaukhandi
125.	Jitender Singh	Jaspal Singh	A-507, JJ Cly., Chaukhandi
126.	Hukam Chand	Mohan Singh	C-1875, Uttam Nagar
127.	Mohd. Islam	Ali Hussain	63, Phase-II, Uttam Nagar
128.	Sat Narain	Janmat Dass	91, Gali No. 13, Anand Parbat
129.	Mahesh Dass	Janki Dass	T-490, Gali No. 1, Baljeet Ngr.
130.	Gangoor Pd.	Shyam Lal	WZ-524/1, Basai Darapur, Delhi
131.	Praveen	—	—

SCHEDULE--8

(Names of the Counsel and Parties for whom they Appeared before the Commission)

Sr. No.	Name of the Counsel	Name of the Party for whom he appeared
1.	Shri A.P. Ahluwalia	Delhi Police
2.	Shri B.D. Batra	Excise Department, Delhi
3.	Shri S.K. Mahajan	Drugs Department, Delhi
4.	Mrs. Avinash Ahlawat	Secretary (Medical), Delhi
5.	Shri A.K. Srivastava	Drugs & Excise Department, U.P.
6.	Shri S.K. Sharma	Excise Department, Ghaziabad U.P.
7.	Shri K.G. Sharma	Counsel for the COMMISSION (worked upto 31-3-92)
8.	Shri P.P. Grover with Shri Jitender Sethi	Rajiv Sapra & Naresh Kumar Bhardwaj, Accused
9.	Shri R.M. Tufail with Mr. K. Ansari	Ajay Sharma. Accused
10.	Shri Sunil Ahuja	Satpal Sethi, Accused
11.	Shri D.S. Dahiya with Shri R.K. Kaushik	Amrish Bhatnagar, Accused
12.	Shri Mukesh Kumar Gupta	Naresh Goel, Chemist
13.	Shri D.L. Raizada	Chhabra Medicos
14.	Shri Sumesh Arora	Subhash Chand, Proprietor, Subhash Provision Store
15.	Shri L.C. Jain	Baldhar Singh, SI & Ramesh Chand Sapra, SHO : PS : Shalimar Bagh, Delhi
16.	Shri Ram Avtar Singh with Shri D. L. Dhingra	Navtej, Proprietor, Tej Medico.
17.	Tiger Singh	Rajesh Kumar, Proprietor, M/s Aggarwal Chemist.
18.	Shri O. P. Aggarwal	Brij Mohan.
19.	Shri R. L. Panjwani	Kewal Krishn Sarpanch.
20.	Shri R. S. Gupta with Shri R. C. Sharma	Gobind Ram, Proprieter, M/s Vijay General Store
21.	Shri R. S. Deswal	Duli Chand, Chemist
22.	Shri A. K. Srivastava with Shri S. K. Sharma	Dr. Shiv Raj Singh, Drug Controller, Ayurvedic & Unani Medicines, U. P. & Dr. Mangal Dev Trivedi & Dr. Anand Bhushan Sharma

SCHEDULE—9

List of Officials of Staff of The Commission

1. Shri U. R. Kapoor, DANI, C. S.
   Secretary to the Commission
2. Shri L. S. Dhir
   Courtmaster
3. Shri C. P. Kataria
   Head Clerk
4. Shri Kirpa Ram Sharma
   Stenographer (worked upto 13-7-92)
5. Shri Pankaj Tewari
   Stenographer
6. Mrs. Rita
   Stenographer
7. Shri A. K. Mehta
   Stenographer
8. Shri V. K. Mehra
   U. D. C.
9. Shri A. N. Dhyani
   Ahlmad
10. Shri C. Ajay
    L. D. C.
11. Shri Inder Bhan
    Process Server